UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/97
17 July 2000

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD
Twenty-fourth session
15 May-2 June 2000

Report on the twenty-fourth session

(Geneva, 15 May-2 June 2000)

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I. ORGANIZATIONAL AND OTHER MATTERS

A. States parties to the Convention

1. As at 2 June 2000, the closing date of the twenty-fourth session of the Committee on the Rights of the Child, there were 191 States parties to the Convention on the Rights of the Child. The Convention was adopted by the General Assembly in resolution 44/25 of 20 November 1989 and opened for signature and ratification or accession in New York on 26 January 1990. It entered into force on 2 September 1990, in accordance with the provisions of its article 49. A list of States that have signed, ratified or acceded to the Convention is contained in Annex I to the present report.

2. The texts of the declarations, reservations or objections made by States parties with respect to the Convention are reproduced in document CRC/C/2/Rev.8.

B. Opening and duration of the session

3. The Committee on the Rights of the Child held its twenty-fourth session at the United Nations Office at Geneva from 15 May to 2 June 2000. The Committee held 26 meetings (587th-615th). An account of the Committee's deliberations at its twenty-third session is contained in the relevant summary records (CRC/C/SR.616-623, 625-630, 633-638 and 641).

C. Membership and attendance

4. All the members of the Committee attended the twenty-fourth session except Marilia Sardenberg. A list of the members, together with an indication of the duration of their terms of office, is provided in Annex II to the present report. Amina Hamza El Guindi was not able to attend the session in its entirety.

5. The following United Nations bodies were represented at the session: United Nations Children's Fund (UNICEF), Office of the United Nations High Commissioner for Refugees (UNHCR).

6. The following specialized agencies were also represented at the session: International Labour Organization (ILO), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Health Organization (WHO).

7. Representatives of the following non-governmental organizations were also in attendance at the session:

General consultative status

International Council of Women, International Movement ATD Fourth World, Zonta International.

Special consultative status

Arab Organization for Human Rights, Coalition against Trafficking in Women, Defence for Children International, International Commission of Jurists, International Confederation of Free Trade Unions, International Confederation of Social Workers, International Federation of Women in Legal Careers, International Federation Terre des Hommes, International Organization for the Development of Freedom of Education (OIDEL), International Service for Human Rights, Radda Barnen, World Federation of Methodist and Uniting Church Women, World Organization against Torture

Others

Cambodian NGO Committee on the Rights of the Child, Mahak (Islamic Republic of Iran), Norwegian NGO Coalition on CRC, Network of Non-governmental Organizations (Kyrgyzstan)

D. Agenda

8. At the 616th meeting, on 15 May 2000, the Committee adopted the following agenda on the basis of the provisional agenda (CRC/C/95)

1. Adoption of the agenda
2. Organizational matters
3. Submission of reports by States parties
4. Consideration of reports by States parties
5. Cooperation with other United Nations bodies, specialized agencies and other competent bodies
6. Methods of work of the Committee
7. General comments
8. Future meetings
9. Other matters

E. Pre-sessional working group

9. In accordance with a decision of the Committee at its first session, a pre-sessional working group met in Geneva from 31 January-4 February 2000. All the members except Mrs. Sardenberg and Elisabeth Tigerstedt-Tahtelä participated in the working group.

Representatives of UNICEF, OHCHR, UNHCR, ILO and WHO also participated. A representative of the NGO Group for the Convention of the Rights of the Child, as well as representatives from various national and international non-governmental organizations, also attended.

10. The purpose of the pre-sessional working group is to facilitate the Committee's work under articles 44 and 45 of the Convention, primarily by reviewing State party reports and identifying in advance the main questions that would need to be discussed with the representatives of the reporting States. It also provides an opportunity to consider questions relating to technical assistance and international cooperation.

11. Members of the Committee elected Gassan Rabah and Esther Margaret Queen Mokhuane to chair the pre-sessional working group. The latter held nine meetings, at which it examined lists of issues put before it by members of the Committee relating to the initial reports of six countries (Malta, Kyrgyzstan, Georgia, Djibouti, Cambodia and Suriname) and the second periodic reports of two countries (Norway and Jordan). The lists of issues were transmitted to the Permanent Missions of the States concerned with a note requesting written answers to the issues raised in the list, if possible before 14 April 2000.

F. Organization of work

12. The Committee considered the organization of work at its 616th meeting, on 15 May 2000. The Committee had before it the draft programme of work for the twenty-fourth session, prepared by the Secretary-General in consultation with the Chairperson of the Committee, and the report of the Committee on its twenty-third session (CRC/C/94).

G. Future regular meetings

13. The Committee noted that its twenty-fifth session would take place from 18 September to 6 October 2000 and that its pre-sessional working group for the twenty-sixth session would meet from 9-13 October 2000.

II. REPORTS BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

A. Submission of reports

14. The Committee had before it the following documents:

(a) Notes by the Secretary-General on initial reports by States parties due in 1992 (CRC/C/3), 1993, (CRC/C/8/Rev.3), 1994 (CRC/C/11/Rev.3), 1995 (CRC/C/28), 1996 (CRC/C/41), 1997 (CRC/C/51), 1998 (CRC/C/61) and 1999 (CRC/C/78), and on periodic reports of States parties due in 1997 (CRC/C/65), 1998 (CRC/C/70), 1999 (CRC/C/83) and 2000 (CRC/C/93);

(b) Note by the Secretary-General on the States parties to the Convention and the status of submission of reports (CRC/C/96),

(c) Note by the Secretary-General on the follow-up to the consideration of initial reports by States parties to the Convention (CRC/C/27/Rev.11),

(d) Note by the Secretary-General on areas in which the need for technical advice and advisory services has been identified in the light of the observations adopted by the Committee (CRC/C/40/Rev.15).

15. The Committee was informed that, in addition to the nine reports that were scheduled for consideration by the Committee at its current session and those which had been received prior to the Committee's twenty-third session (see CRC/C/94, para. 23), the Secretary-General had received the initial reports of Uzbekistan (CRC/C/41/Add.8), Kenya (CRC/C/3/Add/62), Mauritania (CRC/C/8/Add.42), Cameroon (CRC/C/28/Add.16) and Greece (CRC/C/28/Add.17) and the second periodic reports of Romania (CRC/C/65/Add.19), the Czech Republic (CRC/C/83/Add.4), Italy (CRC/C/70/Add.13), Iceland (CRC/C/83/Add.5) and the Republic of Korea (CRC/C/70/Add.14).

16. A list of initial reports considered by the Committee as of 15 May 2000, as well as a provisional list of initial and second period reports scheduled for consideration at the Committee's twenty-fourth and twenty-fifth sessions, are contained in annexes IV and V respectively.

17. As at 2 June 2000, the Committee had received 146 initial and 37 periodic reports. A total of 127 reports (117 initial and 10 second periodic) have been examined by the Committee (see annex IV).

18. At its twenty-fourth session, the Committee examined initial and periodic reports submitted by nine States parties under article 44 of the Convention. It devoted 18 of its 26 meetings to the consideration of reports (see CRC/C/SR.617-622, 615-630 and 633-638).

19. The following reports, listed in the order in which they were received by the Secretary-General, were before the Committee at its twenty-fourth session: Iran (Islamic Republic of) (CRC/C/41/Add.5), Cambodia (CRC/C/11/Add.16), Malta (CRC/C/3/Add.56), Georgia (CRC/C/41/Add.4/Rev.1), Suriname (CRC/C/28/Add.11), Kyrgyzstan (CRC/C/41/Add.6), Djibouti (CRC/C/8/Add.39), Norway (CRC/C/70/Add.2), Jordan (CRC/C/70/Add.4).

20. In accordance with rule 68 of the provisional rules of procedure of the Committee, representatives of all the reporting States were invited to attend the meetings of the Committee at which their reports were examined.

21. The following sections, arranged on a country-by-country basis according to the sequence followed by the Committee in its consideration of the reports, contain concluding

observations reflecting the main points of discussion and indicating, where necessary, issues that require specific follow-up. More detailed information is contained in the report submitted by the States parties and in the summary records of the relevant meetings of the Committee.

B. Consideration of reports

Concluding observations of the Committee on the Rights of the Child

ISLAMIC REPUBLIC OF IRAN

22. The Committee considered the initial report of the Islamic Republic of Iran (CRC/C/41/Add.5) submitted on 9 December 1997 at its 617th and 618th meetings (see CRC/C/SR.617-618), held on 16 May 2000, and adopted the following concluding observations.

A. Introduction

23. The Committee notes that the State party's report (CRC/C/41/Add.5) was prepared according to the Committee's guidelines for reporting. The Committee regrets, however, that the report is essentially legalistic and does not provide a self-critical evaluation of the prevailing situation of the exercise of children's rights in the country. Moreover, the Committee notes that the rights of the child are seen through a paternalistic lens; the child is not seen as an active subject of human rights. There are significant gaps in information relating to general measures of implementation, general principles, particularly non-discrimination and the best interests of the child, civil rights and freedoms and special protection measures. The Committee welcomes the responses to the list of issues which partially remedied these gaps.

B. Positive aspects

24. The Committee welcomes the State party's progress in achieving most of the goals for the year 2000 laid down in the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s.

25. The Committee notes that article 30 of the Constitution provides free education for all citizens up to secondary school, and that over 90 per cent of children 6-10 years enjoy access to primary education.

26. The Committee notes that the State party hosts the largest refugee population in the world, around 2.1 million people, including a large percentage of children, and has provided assistance, generally with speed and effectiveness and with only limited help from the international community.

C. Factors and difficulties impeding the implementation of the Convention

27. Noting the universal values of equality and tolerance inherent in Islam, and concurring with the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, the Committee observes that narrow interpretations of Islamic texts by State authorities are impeding the enjoyment of many human rights protected under the Convention.

D Principal subjects of concern and recommendations

1 General measures of implementation

Legislation

28 Noting information from the State party that a governmental working group has been established to study the compatibility of existing laws with the Convention, the Committee is nevertheless concerned that the broad and imprecise nature of the State party's general reservation potentially negates many of the Convention's provisions and raises concern as to its compatibility with the object and purpose of the Convention.

29 **The Committee recommends that the State party expedite this study and use the findings to review the general nature of its reservation with a view to narrowing, and in the long-term withdrawing in accordance with the Vienna Declaration and Programme of Action.**

Coordination

30 The Committee is concerned that the lack of administrative coordination and cooperation at the national and local levels of government is a major problem in the implementation of the Convention.

31 **The Committee recommends to the State party to: adopt a comprehensive national plan of action to implement the Convention; allocate the necessary resources, both human and financial; develop professional capacity; and give attention to intersectoral coordination and cooperation at and between national and local levels of government. The State party is encouraged to provide adequate support to local authorities for implementation of the Convention. The Committee recommends that the State party seek assistance from UNICEF and OHCHR, among others.**

Independent/monitoring structures

32 The Committee emphasizes the importance of setting up an independent mechanism with the mandate regularly to monitor and evaluate progress in the implementation of the Convention at the national and local levels.

33 **The Committee encourages the State party to establish a statutory, independent institution, adequately staffed and resourced, with the mandate regularly to monitor and evaluate progress in the implementation of the Convention and empowered to receive and address complaints of violations of children's rights. The Committee recommends that the State party seek assistance from UNICEF and OHCHR, among others.**

Allocation of budgetary resources

34. Noting the State party's efforts to implement various child-oriented programmes, the Committee nevertheless expressed its concern that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of the economic, social and cultural rights of children.

35. **The Committee recommends that the State party develop ways to establish a systematic assessment of the impact of budgetary allocations on the implementation of children's rights and collect and disseminate information in this regard. The Committee recommends that the State party ensure the adequate distribution of resources at the national and local levels, where needed within the framework of international cooperation.**

Cooperation with NGOs

36. The Committee notes that cooperation with non-governmental organizations in the implementation of the Convention, including preparation of the report, remains limited.

37. **The Committee encourages the State party to consider a systematic approach to involving NGOs, and civil society in general, in all stages of the implementation of the Convention, including policy-making.**

Training/dissemination of the Convention

38. Although the Convention is binding and has the force of law, according to article 9 of the Civil Code and article 77 of the Constitution, the Committee is concerned that is has not been invoked in the courts because of insufficient awareness of the Convention amongst the judiciary, lawyers and the general public, including children, despite efforts by the State party to inform children of their rights. In this regard, the Committee is concerned that the State party is not undertaking adequate dissemination and awareness-raising activities in a systematic and targeted manner.

39. **The Committee recommends that the State party develop an ongoing programme for the dissemination of information regarding the implementation of the Convention among children and parents, civil society and all sectors and levels of government. The Committee encourages the State party to pursue efforts to promote children's rights education in the country, including initiatives to reach the most vulnerable groups. Moreover, the Committee recommends that the State party strengthen its efforts and develop systematic and ongoing training programmes on the provisions of the Convention for all professional groups working with children (e.g. judges, lawyers, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers). The Committee encourages the State party to seek assistance from OHCHR and UNICEF, among others, in this regard.**

2. Definition of the child

40. The Committee notes information that the State party is making efforts to study the age of maturity of females. Nevertheless, the Committee is concerned that the definition of the child, under Note 1 of article 1212 of the Civil Code and Note 1 of article 49 of the Islamic Penal Law, which provide for the attainment of majority at predefined ages of puberty, result in arbitrary and disparate application of laws and discriminate between girls and boys with respect to legal capacity (including minimum age for marriage), civil liability and age of criminal responsibility.

41. **The Committee recommends that the State party review its legislation so that the definition of the child and minimum age requirements conform to the principles and provisions of the Convention, and in particular that they are gender neutral, and ensure that they are enforced.**

3. General principles

Non-discrimination

42. The Committee is concerned at the persistence of discrimination under the law. In particular:

(a) The Committee finds that discrimination against girls and children born out of wedlock under the Civil and Penal Codes is incompatible with article 2. Moreover, the Committee is concerned that discriminatory social attitudes towards the education of girls, primarily in rural areas, result in low school enrolments and high drop-out rates, and in early and forced marriages;

(b) The Committee finds that infringement of a child's rights under the Convention as a result of indirect discrimination, or discrimination against his or her mother, under the Civil Code (e.g. in relation to custody, guardianship and nationality) is incompatible with article 2. The Committee expresses its concern at the persistence of stereotypical attitudes about the roles and responsibilities of women and men.

43. **Concurring with the findings of the Human Rights Committee (CCPR/C/79/Add.25) and the Committee on Economic, Cultural and Social Rights (E/C.12/1993/7), and in accordance with article 2 of the Convention, the Committee recommends that the State party take effective measures to prevent and eliminate discrimination on the grounds of sex and birth in all fields of civil, economic, political, social and cultural life. The Committee recommends that the State party make every effort to enact or rescind, where necessary, civil and criminal legislation to prohibit any such discrimination. In this regard, the Committee encourages the State party to consider the practices of other States that have been successful in reconciling fundamental rights with Islamic texts. The Committee recommends that the State party take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes in this regard, particularly within the family. Religious leaders should be mobilized to support such efforts.**

44. As noted by the Committee on the Elimination of Racial Discrimination (A/54/18, paras. 294-313), the Committee is concerned at the large disparities in the enjoyment of rights in provinces inhabited largely by persons belonging to ethnic minorities, especially in Sistan and Baluchestan, Lorestan, West Azarbaijan, Ardabil and Hormozgan.

45. **The Committee recommends that the State party take all necessary measures to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2. The Committee recommends that the State party prioritize and target social services for children belonging to the most vulnerable groups.**

Best interests of the child

46. The Committee is concerned that in all actions concerning children, the general principle of the best interests of the child contained in article 3 of the Convention is not a primary consideration, including in matters relating to family law (e.g. duration of custody under articles 1169 and 1170 of the Civil Law is arbitrary as it is determined by the child's age, and is discriminatory against the mother).

47. **The Committee recommends that the State party review its legislation and administrative measures to ensure that article 3 of the Convention is duly reflected therein.**

Right to life

48. The Committee is seriously concerned that respect for the inherent right to life of a person under 18 is not guaranteed under the law, particularly in light of article 220 of the Penal Law which provides that a man who kills his own child or his son's child is subject only to discretionary punishment and the payment of blood money.

49. **The Committee recommends that the State party take all necessary measures to ensure that there is no discriminatory treatment for such crimes, and ensure prompt and thorough investigations and prosecutions.**

50. In light of articles 6 and 37 (a) of the Convention, the Committee is seriously disturbed at the applicability of the death penalty for crimes committed by persons under 18 and emphasizes that such a penalty is incompatible with the Convention.

51. **The Committee strongly recommends that the State party take immediate steps to halt and abolish by law the imposition of the death penalty for crimes committed by persons under 18.**

Respect for the views of the child

52. The Committee welcomes the initiation of the "school mayor" programme, but is nevertheless concerned that respect for the views of the child remains limited owing to traditional societal attitudes towards children in schools, the courts, and especially within the family. The Committee is concerned that the child's views may only be represented in judicial

proceedings affecting him or her through the father, paternal grandfather or other appointed guardian and not directly by the child. The Committee is of the opinion that article 1041 of the Civil Code providing that the marriage of a minor is valid if the father or legal guardian has given his consent, notwithstanding the views of the child, is incompatible with the Convention.

53. **The Committee encourages the State party to promote and facilitate within the family, the school, the courts and administrative bodies respect for the views of children and their participation in all matters affecting them in accordance with article 12 of the Convention. In this regard, the Committee recommends that the State party develop skills-training programmes in community settings for teachers, social workers and local officials to enable them to assist children to express their informed decisions and take these views into consideration. The Committee recommends that the State party take all necessary measures to halt early and forced marriages, including public education campaigns, particularly in rural areas. The Committee recommends that the State party seek assistance from UNICEF, among others.**

4. Civil rights and freedoms

Freedom of expression and assembly

54. The Committee is concerned that although the freedoms of expression and assembly are formally recognized in the Constitution, the exercise of these rights by children are restricted by vaguely worded limitation clauses (i.e. "in accordance with Islamic criteria"), which potentially exceed the permitted restrictions set out in paragraph 2 of articles 13 and 15 of the Convention. The Committee is concerned at reports of incidents of threats and violence by vigilante groups, such as Ansari-Hezbollah, directed at persons seeking to service or to promote the exercise of these rights.

55. **The Committee recommends that the State party establish clear criteria to assess whether a given action or expression is in accordance with interpretations of Islamic texts, and consider appropriate and proportionate means to protect public morals while safeguarding the right of every child to freedom or expression and assembly.**

Freedom of thought, conscience and religion

56. The Committee emphasizes that the human rights of children cannot be realized independently from the human rights of their parents, or in isolation from society at large. In light of article 14 of the Convention, the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (General Assembly resolution 36/55), Commission on Human Rights resolution 2000/33, the Human Rights Committee's General Comment 22, and concurring with the findings of the Human Rights Committee (CCPR/C/79/Add.25) and the Committee on Economic, Social and Cultural Rights (E/C.12/1993/7), the Committee is concerned at the restrictions on the freedom of religion, and that restrictions on the freedom to manifest one's religion do not comply with the requirements outlined in article 14, paragraph 3. The Committee is especially concerned at the situation of

members of non-recognized religions, including the Baha'is, who experience discrimination in areas of, inter alia, education, employment, travel, housing and the enjoyment of cultural activities.

57. **The Committee recommends that the State party take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life. The Committee recommends that the State party make every effort to enact or rescind, where necessary, legislation to prohibit any such discrimination, and take all appropriate measures, including public education campaigns, to combat intolerance on the grounds of religion or other belief. The Committee endorses the recommendations made by the Special Rapporteur on the question of religious intolerance following his visit to the State party (E/CN.4/1996/95/Add.2) and recommends that the State party implement them fully.**

Protection from torture, inhuman or degrading treatment or punishment

58. In light of article 37 (a) of the Convention, the Committee is seriously concerned that persons who committed crimes while under 18 can be subjected to corporal punishment under Note 2 of article 49 of the Islamic Penal Law, or can be subjected to a variety of types of cruel, inhuman or degrading treatment and punishment such as amputation, flogging and stoning, which are systematically imposed by judicial authorities. Concurring with the Human Rights Committee (CCPR/C/79/Add.25), the Committee finds that application of such measures is incompatible with the Convention.

59. **The Committee recommends that the State party take all necessary steps to end the imposition of corporal punishment under Note 2 of article 49 of the Islamic Penal Law and the imposition of amputation, flogging, stoning and other forms of cruel, inhuman or degrading treatment and punishment to persons who may have committed crimes while under 18.**

5. Family environment and alternative care

Violence/abuse/neglect/maltreatment

60. In light of articles 19 and 39 of the Convention, the Committee is concerned that legislation provides for corporal punishment within the family, under Note 2 of article 49 and article 59 of the Islamic Penal Law and article 1179 of the Civil Code.

61. **The Committee recommends that the State party take legislative measures to prohibit all forms of physical and mental violence against children, including corporal punishment and sexual abuse, in the family and in the schools. The Committee recommends that these measures be accompanied by public education campaigns about the negative consequences of ill-treatment of children. The Committee recommends that the State party promote positive, non-violent forms of discipline as an alternative to corporal**

punishment, especially in the home and the schools. Programmes for the rehabilitation and reintegration of abused children need to be strengthened. Moreover, adequate procedures and mechanisms need to be established to: receive complaints; monitor, investigate and prosecute instances of ill-treatment; and ensure that the abused child is not victimized in legal proceedings. The Committee recommends the training of teachers, law enforcement officials, care workers, judges and health professionals in identifying, reporting and managing cases of ill-treatment. Attention should be given to addressing and overcoming socio-cultural barriers that inhibit victims from seeking assistance. The Committee recommends that the State party seek assistance from UNICEF and WHO, among others.

6. Basic health and welfare

Children with disabilities

62. While there are support mechanisms for the care of children with disabilities, the Committee is concerned that inadequate efforts have been made to include such children in mainstream society.

63. **The Committee recommends that the State party review existing policies and practices in relation to children with disabilities, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted on its day of general discussion on children with disabilities (CRC/C/69), and ensure that they enjoy all the rights contained in the Convention. The Committee encourages the State party to make greater efforts to promote community-based rehabilitation programmes and inclusive education. The Committee encourages the State party to undertake greater efforts to make the necessary resources available, and to seek assistance from UNICEF, WHO and relevant NGOs, among others.**

Right to health and health care

64. Noting the significant achievements made in the area of child health, the Committee is however concerned at the insufficient information available in relation to adolescent health, including on reproductive health services, STD and HIV/AIDS prevention programmes, counselling services and substance abuse.

65. **The Committee recommends that the State party undertake a comprehensive study to determine the nature and extent of adolescent health problems, with the full participation of adolescents, and use this as a basis to formulate adolescent health policies and programmes. In light of article 24, the Committee recommends that adolescents have access to and be provided with reproductive health education and child-friendly counselling and rehabilitation services. The Committee recommends that the State party seek assistance from UNICEF and WHO, among others.**

Right to an adequate standard of living

66. The Committee is concerned about large numbers of children living and/or working on the streets, particularly in urban centres such as Tehran and Isfahan, who are amongst the most marginalized groups of children in Iran.

67. **The Committee recommends that the State party establish mechanisms to ensure that these children are provided with identity documents, food, clothing and housing. Moreover, the State party should ensure that these children have access to health care; rehabilitation services for physical, sexual, and substance abuse; services for reconciliation with their families; comprehensive education, including vocational and life-skills training; and legal aid. The Committee recommends that the State party seek assistance from UNICEF, among others.**

7. Education, leisure and cultural activities

Aims of education

68. Noting significant efforts by the State party to improve education coverage, the Committee is concerned that the aims of education as presented in paragraphs 150-152 of the report do not adequately reflect the aims outlined in article 29 of the Convention, particularly in regard to the development and respect for human rights, tolerance, and equality of the sexes and religious and ethnic minorities.

69. **The Committee recommends that the State party take due regard of the aims of education laid down in article 29 and consider introducing human rights, including the Convention on the Rights of the Child, into the school curricula, including at the primary school level. The Committee encourages the State party to seek assistance from UNICEF, UNESCO and relevant NGOs, among others.**

8. Special measures of protection

Unaccompanied, asylum-seeking and refugee children

70. The Committee is concerned that many refugee children remain unregistered, which limits their ability to fully utilize social services, including schools.

71. **The Committee recommends that the State party: ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness; set up a central system of registration and monitoring of refugees in order to provide accurate statistics, and clarify the status of refugees; adopt special measures to deal with unaccompanied children; entertain requests for family reunification in view of its impact of the possibility of resettlement in third countries of asylum; and review discriminatory employment policies (i.e. issuance of work permits) which affect the capacity of refugee families, particularly Afghan refugees, to support themselves. The Committee encourages the State party to continue and expand its cooperation with international agencies, including UNHCR and UNICEF.**

Economic exploitation

72. The Committee is concerned at the large numbers of children involved in child labour, especially in the informal sector, such as household enterprises and agriculture, many of whom are working in hazardous conditions.

73. **The Committee recommends that the State party raise the age for the end of compulsory education to the minimum age of admission to employment as set out under article 79 of the Labour Act. Employers should be required to have and produce on demand proof of age of all children working on their premises, and the State party should vigorously pursue enforcement of minimum-age standards. In light of the State party's assertion that child labour legislation is in conformity with ILO standards (CRC/C/41/Add.5, para. 4), the Committee encourages the State party to ratify the ILO Conventions concerning child labour, including the Convention concerning the Minimum Age for Admission to Employment (No. 138), and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. The Committee recommends that the State party seek assistance from ILO, among others.**

Administration of juvenile justice

74. The Committee is concerned that persons under 18 may be prosecuted for crimes in the same manner as adults, without special procedures; are potentially liable for the same penalties as adults; may be subject to deprivation of liberty without due process under article 49 of the Islamic Penal Law; and, apart from facilities in some large cities, may be held in detention with adults. Furthermore, the Committee is concerned that the right of juvenile delinquents to protective and rehabilitative measures is not guaranteed.

75. **The Committee recommends that the State party establish a system of juvenile justice, fully integrating into its legislation and practice the provisions of the Convention, in particular articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, and the Vienna Guidelines for Action on Children in the Criminal Justice System. Particular attention should be paid to ensure that deprivation of liberty is only used as a measure of last resort, children have access to legal aid, and that children are not detained with adults. Facilities and programmes for the physical and psychological recovery and social reintegration of juveniles should be developed. The Committee recommends that the State party seek assistance from OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice, and UNICEF through the Coordination Panel on Juvenile Justice, among others.**

9. Dissemination of the reports

76. **Finally, the Committee recommends that in accordance with article 44, paragraph 6, of the Convention, the initial report presented by the State party be made widely available to the public at large and that consideration be given to the publication of**

the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion and the concluding observations adopted thereon by the Committee following its consideration of the report. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned NGOs.

Concluding observations of the Committee on the Rights of the Child

GEORGIA

77. The Committee considered the initial report of Georgia (CRC/C/41/Add.4/Rev.1) submitted on 21 January 1998, at its 619th to 620th meetings (see CRC/C/SR.619-620), held on 17 May 2000, and adopted the following concluding observations:

A. Introduction

78. The Committee welcomes the submission of the State party's initial report which followed the established guidelines. The Committee welcomes the written replies to its list of issues (CRC/C/Q/GEO/1) which allowed for a clearer understanding of the situation of children in the State party. The Committee is encouraged by the constructive and open dialogue it had with the State party and welcomes the positive reactions to the suggestions and recommendations made during the discussion.

79. The Committee acknowledges that the presence of a high-ranking delegation directly involved in the implementation of the Convention allowed for a fuller assessment of the situation of the rights of children in the State party.

B. Positive aspects

80. The Committee notes the efforts of the State party in the area of legal reform. In particular, it notes the adoption of a new Constitution (1995) which guarantees universally recognized rights and freedoms. The Committee also notes the enactment of the National Ombudsman Act (1995), the Education Act (1997), the Adoption Act (1997), the Criminal Procedures Code (1997), the Civil Procedural Code (1997), the Law on the Protection and Encouragement of the Natural Feeding of Children (1999) and the Criminal Code (1999). In this context, the Committee welcomes the establishment of the Parliamentary Subcommittee on Mother and Child Affairs to participate in the preparation of draft laws relevant to children. It is noted that the Subcommittee has devoted considerable attention to the situation of children in pre-schools, children's homes and special boarding schools for children.

81. The Committee welcomes the establishment of the Office of the Public Defender (1996) to examine complaints of violations of human rights and notes that it includes a Commissioner for the Rights of Women and Children.

82. The Committee welcomes the ratification by the State party of the six main international human rights instruments as well as its accession to the Council of Europe and its subsequent ratification of the Convention on the Protection of Human Rights and Fundamental Freedoms.

83. The Committee expresses satisfaction that the State party, with the support of the Office of the High Commissioner for Human Rights and UNICEF, has translated the Convention on the Rights of the Child, the Universal Declaration of Human Rights and other human rights instruments into the Georgian and Abkhaz languages.

84. The Committee welcomes the election of the Youth Parliament of Georgia (April 2000) which is mandated to consider relevant youth issues and prepare recommendations in this regard to the National Parliament of Georgia. The Committee notes that 50 per cent of the Youth Parliament's 166 members are between the ages of 14 and 18.

C. Factors and difficulties impeding the implementation of the Convention

85. The Committee acknowledges that the economic and social difficulties facing the State party have had a negative impact on the situation of children and have impeded the full implementation of the Convention. In particular, it notes the impact of the structural adjustment programme and the high levels of unemployment and poverty. The Committee further notes that the civil and political unrest which emerged soon after the State party declared its independence in 1991 has slowed the period of transition and prevented the implementation of adequate programmes and services for children, especially those in conflict zones.

D. Subjects of concern and recommendations

1. General measures of implementation

Legislation

86. While the Committee notes the recent efforts by the State party to enact additional legislation and to undertake a review of its legislation to ensure greater consistency with the Convention, it is concerned that domestic legislation still does not fully reflect the principles and provisions of the Convention.

87. **The Committee recommends that the State party reinforce its efforts to ensure that its laws conform fully with the principles and provisions of the Convention, and in this regard encourages the prompt submission of the recommendations of the review of legislation to Parliament with a view to their early implementation. The State party is further encouraged to consider the possibility of enacting a comprehensive code for children.**

Coordination

88. The Committee notes with concern the lack of an effective mechanism to facilitate the coordination and systematic implementation of the Convention and to monitor the progress achieved in this regard. While the Committee notes the efforts of the State party to foster closer

relations and cooperation with NGOs involved in the implementation of children's programmes, it is concerned that insufficient efforts have been made to include civil society in the coordination and implementation of the Convention. The Committee notes the State party's intention to prepare a national plan of action for children.

89. **The Committee recommends that the State party adopt a comprehensive national plan of action to implement the Convention, allocate resources, both human and financial, develop capacity, and give attention to intersectoral coordination and cooperation at and between national and local levels of government. The State party is encouraged to provide adequate support to local authorities for the implementation of the Convention.**

Data collection

90. The Committee is concerned that the current data collection mechanism is insufficient to afford the systematic and comprehensive collection of disaggregated quantitative and qualitative data for all areas covered by the Convention in relation to all categories of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

91. **The Committee recommends that the State party reinforce its efforts to introduce a comprehensive system of data collection incorporating all the areas covered by the Convention. Such a system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including children living in the mountainous regions; children with disabilities; children living in poverty; children in conflict with the law; children of single-parent families; child victims of abuse, including sexual abuse; children living and/or working on the streets; internally displaced children; and children affected by armed conflicts, especially those in South Ossetia and Abhkazia, particularly in the Gali district. The Committee takes note of the State party's request for technical assistance in this regard and encourages it to follow up with, among others, the United Nations Population Fund (UNFPA) and UNICEF.**

Independent monitoring structures

92. While the Committee notes the establishment of the Office of the Public Human Rights Defender to examine complaints of violation of human rights, it is concerned that insufficient efforts have been made to ensure that this complaint mechanism is easily accessible and available to children whose rights have been violated. Concern is also expressed that the post of Public Defender has remained vacant for several months and that insufficient resources have been allocated for the effective functioning of the Office of the Public Defender.

93. **The Committee suggests that the State party take all appropriate measures to ensure that its independent complaints mechanisms are easily accessible to and user-friendly for all children so that it may deal with complaints of violations of their rights and provide remedies for such violations. In this regard, the Committee suggests that the State party introduce an awareness-raising campaign to facilitate the effective use by children of such a mechanism. Further, the Committee recommends that the State party**

allocate adequate financial and human resources to ensure the effective functioning of the Office of the Public Defender in all regions of the country. The State party is encouraged to consider the early appointment of regional representatives in this regard.

Allocation of budgetary resources

94. While the Committee notes that the civil and political unrest, the economic crisis and the structural adjustment programme have had adverse effects on social investment, it is concerned that in light of article 4 of the Convention, not enough attention has been paid to allocating budgetary resources in favour of children "to the maximum extent of ... available resources". Concern is also expressed at the widespread practices of tax evasion and corruption which are believed to have an effect on the level of resources available for the implementation of the Convention.

95. **In light of articles 2, 3 and 6 of the Convention, the Committee encourages the State party to pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to ensure implementation of the economic, social and cultural rights of children, to the maximum extent of available resources and, where needed, within the framework of international cooperation. The Committee recommends that the State party undertake all appropriate measures to improve its system of tax collection and reinforce its efforts to eradicate corruption.**

Dissemination of the principles and provisions of the Convention

96. The Committee notes that the Convention has been translated into the Georgian and Abkhaz languages and that human rights, including the rights of the child, have been included in the school curricula in Tbilisi. The Committee remains concerned, however, that insufficient efforts have been made to promote awareness of the principles and provisions of the Convention and that professional groups, children, parents, and the public at large are generally not sufficiently aware of the Convention and the rights-based approach enshrined therein.

97. **The Committee recommends that greater efforts be made to ensure that the provisions of the Convention are widely known and understood by adults and children alike. The Committee further recommends the reinforcement of adequate and systematic training and/or sensitization of professional groups working with and for children, such as judges, lawyers, law enforcement personnel, teachers and school administrators, especially outside of the capital; health personnel, including psychologists, and social workers; and personnel of childcare institutions. It further suggests that the State party seek to ensure that the Convention is fully integrated into the curricula in all regions of the State party and at all levels of the educational system. In this regard, the Committee encourages the State party to continue its technical cooperation programmes with OHCHR and UNICEF, among others.**

2. Definition of the child

98. The Committee notes with concern that the law does not include legal minimum ages for sexual consent and medical treatment without parental consent.

99. **It is recommended that the State party enact relevant legislation concerning the minimum legal ages for sexual consent and medical treatment without parental consent.**

3. General principles

Non-discrimination

100. The Committee notes with concern that the principle of non-discrimination is not adequately implemented with respect to certain vulnerable groups of children, including children living in conflict areas, children living in institutions, children living in the mountainous regions, children with disabilities, children of single parent families, children of poor families, children in conflict with the law, children living and/or working on the streets, refugee children and internally displaced children. The Committee is particularly concerned about their limited access to adequate health, education and other social services.

101. **The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and their full compliance with article 2 of the Convention, particularly as it relates to the vulnerable groups.**

Best interests of the child

102. The Committee is concerned that the general principle of the best interests of the child has not been taken fully into account in the State party's legislative, administrative and judicial decisions, as well as in policies and programmes relevant to children.

103. **The Committee recommends that the State party take all appropriate measures to ensure that the general principle of the best interests of the child is appropriately integrated in all legal provisions as well as in judicial and administrative decisions and in projects, programmes and services which have an impact on children.**

Respect for the views of the child

104. The Committee notes the efforts of the State party to encourage respect for the views of the child in court and administrative proceedings as well as within the school environment through, inter alia, the establishment of school councils where students are represented and allowed to promote the views of their peers. It is concerned, however, that the views of children are still not adequately respected within the family and in society generally.

105. **The Committee recommends that the State party develop a systematic approach to increasing public awareness of the participatory rights of children and encourage respect for the views of the child within the family, communities, and care and other institutions.**

4. Civil rights and freedoms

Freedom of association

106. The Committee notes with concern that the law prohibits youth from becoming members of political parties and that this prohibition limits the opportunity for youth to learn about the political process, delays their preparation for political leadership, and denies their full right to freedom of association.

107. **In light of article 15 of the Convention, the Committee recommends that the State party amend its legislation to ensure that youth are allowed to join political parties and that they fully enjoy their right to freedom of association.**

Access to appropriate information

108. The Committee notes with concern that despite existing prohibitions, including the enactment of legislation banning abuse of the naivety and inexperience of minors in advertising, children are still not adequately protected from harmful information, including violence and pornography.

109. **In light of article 17 of the Convention, the Committee recommends that the State party strengthen its efforts to protect children from harmful information.**

5. Family environment and alternative care

Protection of children deprived of a family environment

110. While the Committee welcomes the State party's programme of deinstitutionalization, it is concerned about the still high number of institutionalized children and the poor standard of living and quality of care in institutions.

111. **The Committee recommends that the State party establish a code of standards to ensure that children deprived of a family environment receive adequate care and protection. The Committee recommends that the State party reinforce its efforts to provide additional training, including in children's rights, for the staff of institutions; ensure the periodic review of placements in institutions; and establish an independent complaint mechanism for children in alternative care institutions. The Committee encourages the State party to introduce measures to guarantee and protect the human dignity of children living in institutions and to make these institutions more child friendly. The State party is also encouraged to increase the level of resources allocated for the protection and care of children deprived of a family environment. Finally, the Committee recommends that the State party increase its efforts to prevent institutionalization and pay special attention in that regard to vulnerable families by, for example, providing them with adequate support services.**

Foster care

112. While the Committee notes that the State party has recently adopted a new law on foster care, it remains concerned that insufficient resources impede the effective implementation of this new law. Concern is also expressed at the unregulated nature of the practice of kinship fostering.

113. **The Committee recommends that the State party provide adequate resources, both financial and human, for effective implementation of the new law on foster care; introduce programmes to raise awareness and promote foster care; and undertake measures to regulate kinship fostering in order to ensure that the best interests of the children concerned are taken into account.**

Adoption

114. The Committee notes with concern that both domestic and intercountry adoptions are inadequately monitored. While the Committee notes the State party's concerns regarding adoptions and the need to keep the identity of genetic parents confidential, it is deeply concerned that the law on adoption provides that the date and place of birth of an adopted child may be changed at the request of the adoptive parents.

115. **In light of article 21 of the Convention, the Committee recommends that the State party introduce proper monitoring procedures with respect to both domestic and intercountry adoptions. With reference to articles 3 and 7 of the Convention the Committee recommends that the State party consider amending its legislation to ensure that information about the date and place of birth of adopted children and their genetic parents are preserved and, where possible, made available to these children upon request and when in their best interests. Additionally, the Committee further encourages the State party to consider the possibility of acceding to the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993.**

Abuse/neglect/maltreatment/violence

116. The Committee notes with appreciation that a department for the protection of the rights of children has been established within the Ministry of Education to monitor and prevent abuse and neglect of children and that a research project was conducted in 1997 to ascertain the real situation of abuse of children within schools, the family and in society generally. The Committee welcomes the appointment of inspectorates for the affairs of minors that are mandated to monitor the situation of abuse within families, as well as the establishment of a crisis centre which includes rehabilitation programmes for street children and women victims of domestic violence. However, the Committee remains concerned at the high and increasing incidence of abuse of children, including sexual abuse, neglect, abandonment and domestic violence. The Committee also expresses concern at the lack of awareness and information on domestic violence, ill-treatment and abuse (physical, sexual and psychological) of children and the insufficient financial and human resources allocated, as well as at the inadequacy of the programmes established to prevent and combat all forms of abuse of children. While the Committee notes that a State programme for the protection, development and social adaption of minors has been established, it is concerned that funding allocated for its implementation is insufficient.

117. **In light of article 19, the Committee recommends that the State party undertake studies on domestic violence, ill-treatment and abuse (including sexual abuse within the family) with a view to adopting adequate policy measures and to changing traditional attitudes. The Committee recommends that all appropriate measures be taken to introduce mandatory reporting of abuse, including sexual abuse of children. It also recommends that cases of domestic violence, ill-treatment and abuse of children be properly investigated within a child-friendly judicial procedure and sanctions applied to perpetrators, including treatment, with due regard given to protecting the right to privacy of the child. Additional measures should also be taken to ensure the physical and psychological recovery and social reintegration of child victims in accordance with article 39 of the Convention, and the prevention of criminalization and stigmatization of victims. The Committee recommends that the State party take all appropriate measures to discourage the neglect and abandonment of children. The State party is encouraged to allocate funds to implement the State programme for the protection, development and social adaptation of minors. The Committee recommends that the State party seek technical assistance from UNICEF, among others.**

Corporal punishment

118. While the Committee notes that corporal punishment in schools is prohibited by law and that there is an intention also to prohibit its use within the family, it is concerned that this type of punishment continues to be used in schools, families and care institutions.

119. **The Committee recommends that the State party take legislative measures to prohibit all forms of physical and mental violence, including corporal punishment, within the family, the schools and care institutions. The Committee further recommends that the State party, through, for example, public awareness campaigns, promote positive, non-violent forms of discipline as an alternative to corporal punishment, especially in families, the schools and care institutions.**

6. Basic health and welfare

Right to health and access to health services

120. The Committee notes with appreciation the elaboration of a National Health Policy to the year 2010 with the support of WHO and the World Bank, which includes the enhancement of the health of mothers and children as one of its priorities. However, the Committee is concerned about the health situation of children which continues to be affected by the poor economic situation within the State party. In particular, it notes the limited access to and quality of health services, particularly among children living in conflict zones as well as in the mountainous regions; the increasing cost of basic health care of which the State party covers only 15-20 per cent; the inadequate allocation of funding for health; the high maternal, child and infant mortality rates; the increasing malnutrition rate; and the deteriorating situation of sanitation and safe drinking water supplies. While the Committee notes that the State party is receiving technical assistance for the immunization campaign, it is concerned that vaccines continue to be unavailable and that negative social attitudes towards vaccinations have resulted in a resurgence of preventable diseases such as diphtheria.

121. **The Committee recommends that the State party allocate appropriate resources for the implementation of the National Health Policy and, where appropriate, develop additional policies and programmes to improve the health situation of children, especially those living in mountainous regions and conflict zones; facilitate greater access to and quality of primary health services; ensure the availability of vaccines; reduce the incidence of maternal, child and infant mortality; prevent and combat malnutrition, especially in vulnerable and disadvantaged groups of children; and increase access to safe drinking water and sanitation. Additionally, the Committee encourages the State party to continue its cooperation with respect to the Integrated Management of Childhood Illnesses initiative.**

Adolescent health

122. The Committee expresses its concern with respect to the limited availability of programmes and services and the lack of adequate disaggregated data in the area of adolescent health, including teenage pregnancy, abortion, HIV/AIDS and STDs, alcohol, drug and substance abuse, including tobacco use, violence, and mental health.

123. **The Committee recommends that the State party increase its efforts in promoting adolescent health policies and child-friendly counselling services as well as strengthening reproductive health education, including the promotion of acceptance by men of the use of contraceptives. The Committee suggests that a comprehensive and multidisciplinary study be undertaken to ascertain the scope of adolescent health problems, including the special situation of children infected with, affected by or vulnerable to HIV/AIDS and STDs. Additionally, it is recommended that the State party take further measures, including the allocation of adequate human and financial resources, to increase the number of social workers and psychologists, and to develop youth-friendly care and rehabilitation facilities for adolescents. It is further recommended that the State party seek technical assistance from UNICEF and WHO, among others.**

Children with disabilities

124. The Committee welcomes the 1997-2000 State programme for social protection and rehabilitation of children with disabilities as well as the survey undertaken in this regard. The Committee remains concerned, however, about the absence of protection and the lack of adequate facilities, coordination and services for children with disabilities. The Committee is also concerned that insufficient efforts have been made to facilitate the inclusion of children with disabilities in the regular school system and in society generally.

125. **In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69), it is recommended that the State party develop early identification programmes to prevent disabilities, increase its efforts to implement alternatives to the institutionalization of children with disabilities, establish special education programmes for children with disabilities and, where possible, encourage their inclusion in the regular school system and in society generally. The Committee recommends that the State party take all appropriate measures to ensure that adequate resources are allocated for the**

effective implementation of programmes and services for children with disabilities, as well as their families. Further, the Committee recommends that the State party undertake an awareness-raising campaign to sensitize the public about the rights and special needs of children with disabilities, including children with mental health concerns. The Committee further recommends that the State party seek technical cooperation for the training of professional staff working with and for children with disabilities from WHO, among others.

Right to an adequate standard of living

126. The Committee notes with concern the large percentage of the population living below the poverty line (approximately 43 per cent and mainly in urban centres) and the inability of the social security system to improve the situation of the growing number of poor families.

127. **In accordance with article 27 of the Convention, the Committee recommends that the State party increase its efforts to provide material assistance and support to economically disadvantaged families and guarantee the right of children to an adequate standard of living. In this context, the State party is encouraged to promote programmes to discourage and prevent child begging. The Committee encourages the State party to proceed with the programme, in cooperation with the World Bank, to eradicate poverty, especially among children.**

7. Education, leisure and cultural activities

Right to and aims of education

128. While the Committee notes that the Constitution provides for the right to education and that the 1997 Education Act was adopted with a view to improving the situation of education in the State party, it remains concerned at the situation of education, particularly of children in conflict zones and the mountainous regions. In this connection, the Committee expresses concern at the impact of the economic situation on the educational system as well as the decline in enrolment and attendance rates, particularly at the secondary level; the poor infrastructure, including inadequate heating, classrooms and other facilities for instruction; the limited availability of learning materials; insufficient resources, both human and financial; and inadequate instruction in local languages. The Committee also notes with concern that the current economic conditions in the State party and the increasing cost of child care services have led to a significant decline in the enrolment of children in pre-school.

129. **The Committee recommends that the State party take all appropriate measures, including the allocation of adequate financial, human and technical resources, to improve the situation of education and ensure that all children enjoy the right to education. The Committee further recommends that the State party seek to implement additional measures to encourage children to stay in school, particularly during the period of compulsory education, and to facilitate pre-school education. The Committee encourages the State party to take all appropriate measures to improve the quality of teaching, to develop child-friendly schools, and to facilitate the introduction of traditional languages into the school curricula. It is recommended that the State party seek to strengthen its educational system through closer cooperation with UNICEF and UNESCO.**

8. Special protection measures

Refugee, asylum-seeking and internally displaced children

130. The Committee notes that despite limited resources, Georgia has received some 5,000 Chechnyians, mainly women, children and elderly people. The Committee notes that the State party has enacted the Refugees Act; however, it is concerned that insufficient efforts have been made to establish a special refugee status determination procedure for unaccompanied minors. Concern is also expressed at the absence of specific regulations regarding family reunification.

131. **The Committee recommends that the State party take all appropriate measures to protect the rights of refugee, asylum-seeking and unaccompanied children and facilitate their access to adequate housing, education, health and other social services. In this regard, the State party should consider the adoption of legislation on asylum-seekers. Additionally, it is recommended that the State party take measures to facilitate family reunification and to establish an efficient refugee status determination procedure for unaccompanied minors. The Committee further recommends that the State party undertake a study on refugee, asylum--seeking and unaccompanied children to ascertain the extent to which they are victims of torture or other cruel, inhuman or degrading treatment and punishment; economic exploitation, including forced labour; commercial sexual exploitation; sale, trafficking and abduction; and abandonment, abuse and neglect.**

Internally displaced children

132. The Committee notes the adoption of the Forcibly Displaced Persons-Exiles Act and the State party's efforts, in cooperation with UNHCR, to provide humanitarian assistance to internally displaced persons, including free health care and education for children. However, the Committee remains concerned about their situation.

133. **The Committee recommends that the State party implement the "New Approach" to internal displacement, which is to improve the current conditions of internally displaced persons while continuing to support their right to return voluntarily to their homes in safety and dignity, as developed by UNDP, UNHCR, the World Bank and the Office for the Coordination of Humanitarian Affairs (OCHA) and endorsed by the State party.**

Children in armed conflict

134. The Committee is concerned that insufficient efforts have been made to guarantee and protect the rights of children living in conflict areas, including in South Ossetia and Abkhazia (especially in the Gali district). The Committee expresses grave concern at the significant number of landmines still in the State party, especially in the western regions along the border zones. The Committee notes with concern the insufficient efforts made by the State party to locate and clear these landmines and to protect children in this regard. Concern is also expressed about the inadequate programmes to facilitate the care and rehabilitation of child victims of landmines and the insufficient efforts to raise awareness and to prevent accidents involving children and landmines.

135. **In light of articles 38 and 39 of the Convention, the Committee recommends that the State party take all appropriate measures to ensure the protection and care of children affected by armed conflict, including their physical and psychological recovery and social reintegration. The Committee strongly recommends that the State party take all appropriate measures to locate and clear the landmines in its territory, and promote awareness about the potential dangers. The State party is recommended to undertake a study to determine the impact of landmines in its territory, particularly as this affects children living in the western regions along the border. The Committee recommends that the State party reinforce its efforts to accede to the Convention on the Prohibition of the Use, Production, Transfer and Stockpiling of Anti-Personnel Landmines and on Their Destruction, which it signed in December 1997. Additionally, the State party is encouraged to seek technical cooperation with the United Nations Mine Action Service (UNMAS), among others.**

Economic exploitation

136. The Committee welcomes the State party's ratification of the ILO Convention concerning the Minimum Age for Access to Employment (No. 138). In light of the current economic situation, declining school enrolment and attendance rates, and the increasing number of children living and/or working on the streets, the Committee is concerned about the lack of information and adequate data on the situation of child labour and economic exploitation within the State party, including in the informal sector. Concern is also expressed at the significant number of children begging on the streets and their vulnerability to exploitation and abuse.

137. **The Committee encourages the State party to introduce monitoring mechanisms to ensure the enforcement of labour laws and protect children from economic exploitation, particularly in the informal sector. The State party is encouraged to continue its cooperation with IPEC to finalize, by the end of 2000, a child labour survey to assess the situation of children in this regard. The Committee encourages the State party to consider ratifying the ILO Worst Forms of Child Labour Convention, No. 182.**

Children living and/or working on the streets

138. Concern is expressed at the large and increasing number of children living and/or working on the streets.

139. **The Committee recommends to the State party to establish mechanisms to ensure that children living and/or working on the streets are provided with identity documents, food, clothing and housing. Moreover, the State party should ensure that these children are provided adequate access to health care, rehabilitation services for physical, sexual, and substance abuse, protection from police brutality, services for reconciliation with their families and education, including vocational and life-skills training. The Committee recommends to the State party to cooperate and coordinate its efforts in this regard with civil society.**

Drug abuse

140. The Committees is concerned at the increasing incidence of drug, alcohol and substance abuse among youth as well as the lack of financial and human resources, inadequate monitoring mechanisms and insufficient psychological, social and medical programmes and services available in this regard.

141. **In light of article 33 of the Convention, the Committee recommends that the State party take all appropriate measures, including administrative, social and educational measures, to protect children from the illicit use of alcohol, narcotic drugs and psychotropic substances and to prevent the use of children in the illicit production and trafficking of such substances. It encourages the State party to support rehabilitation programmes dealing with child victims of alcohol, drug and substance abuse. In this regard, the Committee encourages the State party to consider seeking technical assistance from UNICEF, WHO, United Nations International Narcotics Control Board, among others.**

Sexual exploitation and abuse/sale, trafficking and abduction

142. The Committee expresses concern about the increasing number of child victims of commercial sexual exploitation, including prostitution and pornography. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of child victims of such abuse and exploitation. The Committee also notes with concern that there have been reported incidents of sale, trafficking and abduction of children, especially girls, for commercial sexual exploitation.

143. **In light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake studies with a view to designing and implementing appropriate legislation, policies and measures, including care and rehabilitation, to prevent and combat the sexual exploitation of children, as well as the sale, trafficking and abduction of children for commercial sexual exploitation.**

Juvenile justice

144. Concern is expressed at the increasing number of children in conflict with law and the limited measures taken by the State party to address their concerns. In particular, the Committee notes:

(a) The absence of adequate legislation on juvenile justice, as well as the inconsistency of the juvenile justice system with the Convention and other relevant United Nations standards;

(b) The poor conditions of juvenile detention facilities, including the lack of adequate food, clothing, heating, educational opportunities and leisure activities for child detainees;

(c) The inadequate facilities for children in conflict with the law; the insufficient numbers of trained personnel to work with children in this regard; and the lack of a complaint mechanism for children whose rights have been violated.

145. **The Committee recommends that the State party:**

(a) Take all appropriate measures to implement a juvenile justice system that is in conformity with the Convention, in particular articles 37, 40 and 39, and other United Nations standards in this field, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty;

(b) Use deprivation of liberty only as a measure of last resort and for the shortest possible period of time; protect the rights of children deprived of their liberty, including their right to privacy; and ensure that children deprived of their liberty remain in contact with their families;

(c) Take all appropriate measures to improve the situation of children in juvenile detention facilities, including their access to adequate food, clothing, heating, educational opportunities and leisure activities;

(d) Introduce training programmes on relevant international standards for all professionals involved with the administration of juvenile justice;

(e) Consider seeking technical assistance from, among others, OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice and Assistance in Juvenile Justice.

9. Dissemination of reports

146. **Finally, the Committee recommends that, in light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.**

Concluding observations of the Committee on the Rights of the Child

JORDAN

147. At its 621st and 622nd meetings (see CRC/C/SR.621-622), held on 18 May 2000, the Committee on the Rights of the Child considered the second periodic report of Jordan (CRC/C/70/Add.4), which was submitted on 5 August 1998, and adopted the following concluding observations.

A. Introduction

148. The Committee regrets that the State party's report (CRC/C/70/Add.4) was not prepared according to the guidelines established for the submission of periodic reports. The Committee also regrets the absence of examples and disaggregated data on the exercise and enjoyment of the rights contained in the Convention, and insufficient assessment or evaluation of the actual situation of children in Jordan. The Committee welcomes, however, the extensive information provided with respect to education, and the detailed annexes on health and child labour. The Committee appreciates the detailed and informative responses to the list of issues.

B. Follow-up measures undertaken and progress achieved by the State party

149. The Committee welcomes Jordan's progress towards the achievement of most of the goals for the year 2000 laid down in the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s.

150. The Committee welcomes the royal decree in March 2000 establishing the National Committee for Human Rights.

151. The Committee welcomes Jordan's ratification of major international human rights treaties, including ratification of ILO Conventions No. 138 concerning the Minimum Age for Admission to Employment and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. The Committee notes the various initiatives in the area of human rights undertaken by the State party in cooperation with the international community.

152. The Committee notes that Jordan hosts a large refugee population, and maintains good cooperation with the international community in this regard.

C. Factors and difficulties impeding the implementation of the Convention

153. The Committee notes that economic reforms have had a severe impact on the economy, and especially on the most vulnerable segments of society.

154. The Committee notes that population pressures coupled with a lack of resources, particularly water, in light of the worst drought in decades have severely affected the population.

155. Noting the universal values of equality and tolerance inherent in Islam, the Committee observes that narrow interpretations of Islamic texts by authorities, particularly in areas relating to family law, are impeding the enjoyment of some human rights protected under the Convention.

D. Principal areas of concern and recommendations

1. General measures of implementation

Legislation

156. The Committee observes that the State party's reservation to articles 20 and 21 of the Convention is superfluous. It points out that article 20 (3) of the Convention expressly recognizes *kafalah* of Islamic law as alternative care, and article 21 expressly refers to those States that "recognize and/or permit" the system of adoption, which in any case does not apply to Jordan.

157. **The Committee recommends to the State party to withdraw its reservation to articles 20 and 21 of the Convention, in accordance with the Vienna Declaration and Programme of Action.**

158. The Committee is concerned that the broad and imprecise nature of the reservation to article 14 potentially gives rise to infringements of the freedoms of thought, conscience and religion, and raises questions of its compatibility with the object and purpose of the Convention.

159. **In light of its previous recommendations (CRC/C/15/Add.21), the Committee recommends to the State party to study its reservation to article 14 with a view to narrowing it, taking account of the Human Rights Committee's General Comment 22 and recommendations (CCPR/C/79/Add.35), and eventually, to withdraw it in accordance with the Vienna Declaration and Programme of Action.**

160. Although the Convention is purported to have the force of law and takes precedence over all legislation except the Constitution, and courts are expected to accord precedence to it, the Committee observes that almost 10 years have passed since ratification and the Convention is not yet published in the Official Gazette.

161. **The Committee recommends to the State party to expedite the publication of the treaty in the Official Gazette and to take the necessary action to make it enforceable in the courts, including courts of first instance.**

162. The Committee notes the State party's efforts in preparing a draft Childhood Act and draft amendments to various legislation to ensure their compliance with the Convention. Nevertheless, the Committee is concerned that insufficient efforts have been made to secure their speedy adoption.

163. **The Committee recommends to the State party to ensure that the draft Childhood Act is in conformity with the principles and provisions of the Convention and to expedite the passage into law of this and other legislative amendments related to the provisions of the Convention.**

Coordination

164. The Committee notes the establishment of the National Task Force for Children for the coordination of activities of civil society through the National Coalition for Children. However, the Committee is concerned that inadequate administrative coordination and cooperation at the national and local levels of government is a serious problem in the implementation of the Convention.

165. **The Committee recommends to the State party to: adopt a comprehensive national plan of action to implement the Convention; allocate resources (human and financial); develop professional capacity; and give attention to intersectoral coordination and cooperation at and between national and local levels of government. The State party is encouraged to provide adequate support to local authorities for implementation of the Convention.**

Independent monitoring structures

166. Noting the decree establishing a National Human Rights Committee, the Committee emphasizes the importance of setting up an independent mechanism with the mandate of regularly monitoring and evaluating progress in the implementation of the Convention at the national and local levels.

167. **In light of its previous recommendations (CRC/C/15/Add.21), the Committee encourages the State party to establish a statutory independent institution, with an appropriate membership and adequate resources, with the mandate to regularly monitor and evaluate progress in the implementation of the Convention, and empowered to receive and act upon complaints of violations of child rights. In this regard, the Committee recommends to the State party to seek assistance from, inter alia, UNICEF and the Office of the High Commissioner for Human Rights.**

Allocation of budgetary resources

168. The Committee expresses its concern that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of the economic, social and cultural rights of children.

169. **While recognizing the difficult poor economic conditions, the Committee emphasizes that the implementation of economic, social and cultural rights requires consideration of a range of issues, including the redistribution of existing resources. The Committee recommends to the State party to develop ways to undertake a systematic assessment of the impact of budgetary allocations on the implementation of children's rights, and to collect and disseminate information in this regard. The Committee recommends to the State party to ensure the distribution of adequate resources at the national and local levels, where needed within the framework of international cooperation.**

Training in dissemination of the Convention

170. Noting efforts by the State party, the Committee is nevertheless concerned at the low level of awareness of the Convention amongst the general public, including children and professionals working with and for children. The Committee is concerned that the State party is not undertaking adequate dissemination and awareness-raising activities in a systematic and targeted manner.

171. **The Committee recommends to the State party to develop an ongoing programme for the dissemination of information regarding the implementation of the Convention among children and parents, civil society and all sectors and levels of government. The Committee encourages the State party to pursue efforts to promote children's rights education in the country, including initiatives to reach the most vulnerable groups. Moreover, the Committee recommends to the State party to strengthen its efforts to develop systematic and ongoing training programmes on the provisions of the Convention for all professional groups working with children (e.g. judges, lawyers, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers). The Committee encourages the State party to seek technical assistance from, inter alia, the Office of the High Commissioner for Human Rights and UNICEF in this regard.**

2. Definition of the child

172. Noting efforts to raise the age of criminal responsibility to 12 years, the Committee, in light of its previous concluding observations (CRC/C/15/Add.21), remains concerned at the existing very low age which is set at 7 years.

173. Noting efforts to raise the minimum age for marriage to 18 for both boys and girls, the Committee is concerned that the existing age-limits of 15 years for girls and 16 years for boys are too low and are discriminatory. The Committee is also concerned about early and forced marriages, primarily in rural areas.

174. **The Committee recommends to the State party to review its legislation to ensure that the definition of the child and minimum age requirements conform to the principles and provisions of the Convention and are gender neutral, and take steps to enact any necessary amendments promptly and ensure that they are enforced. In addition, the Committee recommends to the State party to continue its efforts in respect of public education campaigns to combat early and forced marriages, particularly in rural areas.**

3. General principles

Non-discrimination

175. The Committee is concerned by the persistence of discrimination under the law, in particular:

(a) The Committee finds that discrimination against girls and children born out of wedlock is incompatible with article 2. Moreover, the Committee is concerned that discriminatory social attitudes towards the education of girls, primarily in rural areas, result in their low levels of school enrolment and high drop-out rates, and in early and forced marriages;

(b) The Committee finds that infringement of a child's rights under the Convention as a result of indirect discrimination, or discrimination against his or her mother (e.g. in relation to custody, guardianship and nationality) is incompatible with article 2. The Committee expresses its concern at the persistence of stereotypical attitudes about the roles and responsibilities of women and men. In light of the Committee's previous recommendations (CRC/C/15/Add.21), the Committee remains concerned that restrictions on the right of a Jordanian woman to pass on her nationality to her child, particularly where she is married to a refugee, may result in the child becoming stateless.

176. **In accordance with the findings of the Human Rights Committee (CCPR/C/79/Add.35), the Committee on the Elimination of Discrimination against Women (CEDAW) (CEDAW/C/JOR/2), its own previous concluding observations (CRC/C/15/Add.21) and with article 2 of the Convention, the Committee recommends to the State party to take effective measures to prevent and eliminate discrimination on the grounds of sex and birth status in all fields of civil, economic, political, social and cultural life. The Committee recommends to the State party to incorporate equality on the basis of sex in article 6 of the Constitution. The Committee recommends to the State party to make all efforts to enact or rescind civil and criminal legislation, where necessary, to prohibit any such discrimination. In this regard, the Committee encourages the State party to consider the practice of other States that have been successful in reconciling fundamental rights with Islamic texts. The Committee recommends to the State party to take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes in this regard, particularly within the family. Religious leaders should be mobilized to support such efforts.**

177. The Committee expresses its concern at the disparities in the enjoyment of rights, especially with regard to health and education, experienced by children belonging to vulnerable groups, including those living in rural regions of the country and those living in unofficial Palestinian refugee camps.

178. **The Committee recommends to the State party to take all necessary measures to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2. The Committee recommends to the State party to prioritize and target social services for children belonging to the most**

vulnerable groups. The Committee recommends to the State party to seek assistance from the international community, including United Nations agencies such as UNICEF and United Nations Relief and Works Agency for Palestine Refugees in the Near East.

Best interests of the child

179. The Committee is concerned that in all actions concerning children, the general principle of the best interests of the child contained in article 3 of the Convention is not a primary consideration, including in matters relating to family law (e.g. duration of custody under the Personal Status Law is arbitrary as it is determined by the child's age, and is discriminatory against the mother).

180. **The Committee recommends to the State party to review its legislation and administrative measures to ensure that article 3 of the Convention is duly reflected therein.**

Right to life

181. Noting efforts to support amendments to penal law provisions which discriminate against women, the Committee nevertheless is seriously concerned that respect for the inherent right to life of a person under 18 is not guaranteed under the law, particularly in light of articles 340 and 98 of the Penal Code (No. 16/1960), which condone crimes perpetrated in the name of honour. The Committee is concerned that there is often reluctance on behalf of the police to arrest perpetrators, and that they receive lenient or token punishments.

182. **In line with Commission on Human rights resolutions 2000/31 and 2000/45, the recommendations of the Special Rapporteur on extrajudicial, summary or arbitrary executions (E/CN.4/2000/3) and those of CEDAW, the Committee recommends that the State party take all necessary measures to ensure that there is no discriminatory treatment for crimes of honour and that they are promptly and thoroughly investigated and prosecuted. In addition, the Committee recommends to the State party to undertake awareness-raising activities demonstrating that such practices are socially and morally unacceptable, and to take steps that ensure that protective custody is replaced by other types of protection for women.**

183. The Committee is concerned at the high incidence of traffic accidents which claim the lives of children.

184. **The Committee recommends to the State party to strengthen and continue efforts to raise awareness about and undertake public information campaigns in relation to accident prevention.**

Respect for the views of the child

185. Noting that article 15 of the Constitution provides for freedom of opinion, the Committee is concerned that respect for the views of the child remains limited owing to traditional societal attitudes towards children in schools, the courts, and especially within the family.

186. **The Committee encourages the State party to promote and facilitate, within the family, the school and the courts, respect for the views of children, and their participation in all matters affecting them in accordance with article 12 of the Convention. In this regard, the Committee recommends to the State party to develop skills-training programmes in community settings for teachers, social workers and local officials to enable them to assist children in expressing informed decisions and to take those views into consideration. The Committee recommends that the State party seek assistance from UNICEF, among others.**

4. Family environment and alternative care

Violence/abuse/neglect/maltreatment

187. Noting the establishment of the Family Protection Unit and efforts to address domestic violence, the Committee remains concerned, in light of articles 19 and 39 of the Convention, at the incidence of ill-treatment of children in schools and within the family. The Committee is concerned that apart from Penal Code provisions with respect to abandonment, abduction and indecent assault with violence, existing legislation is inadequate, and there is no comprehensive plan with effective measures to prevent and treat cases of abuse. Concurring with CEDAW, the Committee is concerned that the serious problem of violence against women in Jordan has harmful consequences on children.

188. **The Committee recommends to the State party to take legislative measures to prohibit all forms of physical and mental violence, including corporal punishment and sexual abuse of children in the family and the schools. The Committee recommends that these measures be accompanied by preventive measures such as public education campaigns about the negative consequences of ill-treatment of children. The Committee recommends to the State party to promote positive, non-violent forms of discipline as an alternative to corporal punishment. Programmes for the rehabilitation and reintegration of abused children need to be strengthened. Moreover, adequate procedures and mechanisms need to be established to receive complaints; monitor, investigate and prosecute instances of ill-treatment, and ensure that the abused child is not victimized in legal proceedings. The Committee recommends the training of teachers, law enforcement officials, care workers, judges and health professionals in the identification, reporting and management of cases of ill-treatment. Attention should be given to addressing and overcoming socio-cultural barriers that inhibit victims from seeking assistance. The Committee recommends to the State party to ensure that the Family Protection Unit is adequately resourced; to strengthen its capacity; and to expand its services to cover other regions. The Committee recommends to the State party to continue to support and cooperate with civil society initiatives, including hotlines, shelters and counselling services. The Committee recommends that the State party seek assistance from UNICEF and the World Health Organization (WHO), among others.**

5. Basic health and welfare

Children with disabilities

189. The Committee is concerned at the poor situation of children with disabilities, in particular that only a very small percentage receive specialized services.

190. **The Committee recommends to the State party to review existing policies and practice in relation to children with disabilities, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted on its day of general discussion on children with disabilities (CRC/C/69), and ensure that they enjoy all the rights contained in the Convention. The Committee recommends to the State party to make greater efforts to implement effectively the Welfare of the Disabled Act No. 12 of 1993, and increase the allocation of resources, human and financial, to ensure that children with disabilities have access to rehabilitation, education and other services. The Committee recommends to the State party to continue its efforts to promote inclusive education and to expand and strengthen community-based rehabilitation projects. The Committee recommends that the State party continue to seek assistance from UNICEF, UNESCO, WHO and relevant NGOs, among others.**

Right to health and health services

191. Notwithstanding the improvement in Jordan's health indicators over the past 25 years, the Committee is concerned that children living in rural regions may not have equal access to health services.

192. **The Committee recommends to the State party to ensure that vulnerable groups, such as children living in desert regions, benefit from health services. The State party should continue its efforts to increase the quality and coverage of post-natal care, and to raise awareness and disseminate materials on maternal health and family planning. The State party is encouraged to continue cooperation with UNICEF and WHO, among others.**

193. The Committee is concerned that insufficient attention has been given to adolescent health issues, including developmental, mental and reproductive health concerns and substance abuse.

194. **The Committee recommends to the State party to undertake a comprehensive study to discover the nature and extent of adolescent health problems, with the full participation of adolescents, and to use this as a basis to formulate adolescent health policies and programmes. In light of article 24, the Committee recommends that adolescents have access to and be provided with reproductive health education, child-friendly counselling and rehabilitation services, and STD and HIV/AIDS prevention programmes. The Committee recommends to the State party to seek assistance from UNICEF and WHO, among others.**

195. In light of article 24 of the Convention, the Committee expresses its concern at problems involving waste treatment and poor access to safe drinking water and adequate sanitation, particularly in rural areas, which negatively impact upon the health of children.

196. **In light of article 24 (c) of the Convention, the Committee recommends to the State party to take all appropriate measures, including through international cooperation, to prevent and combat the damaging effects of environmental pollution and contamination of water supplies on children, and to strengthen procedures for inspection. The Committee encourages the State party to collect data on access to clean water and sanitation.**

Right to an adequate standard of living

197. The Committee is concerned about large numbers of children living and/or working on the streets, particularly in urban centres such as Amman, Zarqa and Irbid, who are amongst the most marginalized groups of children in Jordan. Noting that begging is an offence, the Committee is concerned that children who are picked up for this crime risk court proceedings, or placement in detention or orphanages.

198. **The Committee recommends to the State party to repeal the legal provisions criminalizing vagrancy and begging. The State party should establish mechanisms to ensure that street children are provided with identity documents, food, clothing and shelter. Moreover, the State party should ensure that these children have access to health care; rehabilitation services for physical, sexual and substance abuse; services for reconciliation with their families; comprehensive education, including vocational and life-skills training; and legal aid. The State party should cooperate and coordinate its efforts with civil society in this regard. The Committee recommends that the State party seek assistance from UNICEF, among others.**

6. Education, leisure and cultural activities

Right to education

199. Noting the significant achievements by the State party in improving access to education, the Committee is concerned that attention should be focused on improving quality in this sector. The Committee is concerned at the persistence of high drop-out and absenteeism rates, especially at the secondary level, due to, inter alia, lack of interest in school and poverty.

200. **The Committee recommends to the State party to continue to allocate the required resources, human and financial, to repairing and upgrading infrastructure, equipment and teaching materials and improving teachers' salaries, particularly in rural areas. The State party should undertake a process of curriculum reform which stresses the importance of critical thinking and the development of problem-solving skills. The Committee also recommends to the State party to establish retention programmes and vocational training for drop-outs. The State party should promote the importance of early childhood care and development programmes, especially among low-income households, and encourage informal community schemes in this regard. The Committee urges the State party to continue to promote the participation of parents and communities in school governance, to**

improve enrolment rates and to monitor the quality of education. The Committee encourages the State party to seek assistance from UNICEF, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and relevant NGOs.

7. Special measures of protection

Unaccompanied, asylum-seeking and refugee children

201. The Committee is concerned that there is no legislation specifically to guarantee the protection and rights of refugee children. In particular, the Committee is concerned that there are no procedures to prevent refugee children from becoming stateless, no legislative measures applicable to family reunification, and no special status determination procedures for unaccompanied children.

202. **In light of its previous recommendations (CRC/C/15/Add.21), the Committee recommends to the State party to accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and to adopt legislation in conformity with these instruments, taking into account the Guidelines on the protection and care of refugee children of the Office of the United Nations High Commissioner for Refugees (UNHCR). The Committee recommends to the State party to adopt special measures to deal with unaccompanied children; develop and implement a functioning system for family reunification to better protect children from being separated from their parents; and review discriminatory employment policies (i.e. issuance of work permits) which affect the capacity of refugee families to support themselves adequately. The Committee encourages the State party to continue and expand its efforts to provide education for refugee children.**

Economic exploitation

203. The Committee is concerned that the Labour Law does not provide any protection for children working in family enterprises, agricultural activities and as domestic labour, thereby excluding from adequate protection the sector where child labour in Jordan is concentrated, i.e. the informal sectors, which in many cases involves hazardous conditions. In light of its previous concluding observations (CRC/C/15/Add.21), the Committee remains concerned that children living in remote areas, particularly in Bedouin communities, are often kept out of school to help with farming.

204. **The Committee recommends that the Labour Law be amended to ensure that children working in family enterprises, agricultural activities and as domestic labour are protected and that inspections extend to these areas. Employers should be required to have, and produce on demand, proof of age of all children working on their premises and the State party should vigorously pursue enforcement of minimum-age standards. The Committee recommends to the State party to continue efforts to implement the 1998 plan of action on child labour. The Committee recommends that the State party seek assistance from the International Labour Organization (ILO), among others.**

Administration of juvenile justice

205. The Committee regrets that no new developments in the area of juvenile justice have occurred since the initial State party report was submitted in 1994.

206. **The Committee reiterates its previous recommendations (CRC/C/15/Add.21). The State party should undertake a comprehensive review of legislation in the light of the Convention and international standards such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System. Attention should be paid to measures of rehabilitation and social reintegration, in line with article 39 of the Convention. The Committee recommends to the State party to seek assistance from the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF through the Coordination Panel on Juvenile Justice.**

Sexual exploitation and sexual abuse

207. The Committee is concerned at the insufficient data on and awareness of the phenomenon of commercial sexual exploitation of children in Jordan, and the absence of a comprehensive and integrated approach to prevent and combat it.

208. **The Committee recommends to the State party to undertake a national study on the nature and extent of commercial sexual exploitation of children, and that disaggregated data be compiled and kept up to date to serve as a basis for designing measures and evaluating progress. The Committee recommends to the State party to review its legislation and ensure that it criminalizes the sexual abuse and exploitation of children and penalizes all offenders, whether Jordanian or foreign, while ensuring that the child victims are not penalized. The Committee recommends to the State party to: ensure that laws concerning the sexual exploitation of children are gender neutral; simplify procedures so that responses are appropriate, timely, child friendly and sensitive to victims; and vigorously pursue enforcement. Rehabilitation programmes and shelters should be established for child victims of sexual abuse and exploitation. There is a need to train personnel working with child victims adequately. The Committee recommends to the State party to carry out awareness-raising campaigns to sensitize and mobilize the general public on the child's right to physical and mental integrity and to be protected from sexual exploitation.**

8. Dissemination of the reports

209. **Finally, the Committee recommends that in accordance with article 44, paragraph 6, of the Convention, the second periodic report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion and the concluding observations adopted by the Committee following its consideration of the report.** Such a

document should be widely distributed in order to generate debate on and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned NGOs.

Concluding observations of the Committee on the Rights of the Child

NORWAY

210. The Committee considered the second periodic report of Norway (CRC/C/70/Add.2), submitted on 1 July 1998, its 625th and 626th meetings (see CRC/C/SR.625-626), held on 22 May 2000, and adopted the following concluding observations.

A. Introduction

211. The Committee welcomes the submission of the State party's second periodic report, the additional information provided and the written answers submitted by the State party to the list of issues (CRC/C/Q/NOR/2). The Committee notes with appreciation the useful statistical information included in the report and the frank and constructive efforts made by the delegation to provide additional information in the course of the dialogue.

B. Follow-up measures undertaken and progress achieved by the State party

212. The Committee commends the State party for its overall progress in implementing the Convention on the Rights of the Child.

213. The Committee, in addition, commends the State party on the very positive and independent role of the office of the ombudsperson for children. The Committee also considers as especially noteworthy the fact that the State party prioritizes the social sector both within its own international development assistance programmes and through its participation in relevant international forums. Likewise, the Committee commends the State party's support for the establishment of the research organization "Childwatch International" and its development of NORDEM which aims to facilitate the offering of national expert assistance on, inter alia, human rights matters, in a spirit of dialogue and cooperation.

214. The Committee is encouraged by the constructive dialogue between Government and NGOs, including in the preparation of the State party's report, and the support given to NGOs in the preparation of an alternative report.

215. The Committee welcomes the withdrawal of the State party's reservation to article 40 (2) (b) (v) of the Convention in 1995, following amendments to the Criminal Procedure Act. In addition, the Committee is encouraged by amendments to the Children Act which strengthen the position of children and the protection of their rights.

216. The Committee also notes with satisfaction that in spite of the widespread international trend of economic recession (during part of the reporting period) and the progression towards a decentralization of social services, the budgetary resources for child welfare programmes have

been increasing in the State party. The Committee notes, further, that a system of monitoring the policies and measures taken by municipalities with regard to their implementation of children's welfare programmes has been set up through the County Governor reporting procedure.

217. The Committee takes note of the considerable efforts being made by the State party to combat trends towards intolerance of foreigners and to address the issues of racism and xenophobia, including through the involvement and participation of youth. The Committee also welcomes the active role being taken by the State party within regional forums in encouraging similar approaches to such problems.

218. The Committee notes with satisfaction amendments to the Citizen Act made since publication of the State party's report and their positive impact on the situation of foreign children who are adopted by Norwegian citizens and other persons residing in Norway. The Committee notes, further, the adoption of the 1995 Act prohibiting the circumcision of women and amendments to the 1994 Marriage Act allowing a party to a marriage to initiate proceedings to declare the marriage null and void if he or she was forced into the marriage. In addition, the Committee welcomes the extensive support and intervention programmes available to parents.

219. The Committee would like to commend the State party on its generous contribution to supporting children's rights in developing countries through international cooperation and other assistance.

220. The Committee welcomes the numerous references in the State party's report to its concluding observations on the State party's initial report, and the efforts to respond to some of the recommendations made.

C. Principal subjects of concern

1. General measures of implementation

Legislation

221. The Committee remains concerned that the general principles and provisions of the Convention have not yet been fully incorporated into domestic legislation as recommended.

222. **The Committee encourages the State party in its ongoing discussions on this issue and recommends that consideration be given to incorporating the Convention into domestic legislation, in a manner comparable to the incorporation of other regional and international human rights instruments by the 21 May 1999 Human Rights Act.**

Implementation at a local level

223. Recognizing the extensive decentralization of decision-making, administration and the delivery of services in the State party, the Committee notes that the significant delegation of powers from the national level to municipalities appears to reflect a weak point in the State party's implementation of the Convention, in that not all municipalities take the Convention fully into consideration.

224. **The Committee recommends that the State party undertake an evaluation of the implementation of all aspects of the Convention by municipal authorities and that every effort be made to ensure the effective implementation of the Convention at the municipal level.**

Budgetary allocations

225. The Committee is concerned that the breadth and standard of welfare services provided by local authorities to children from low-income families, and consequently the standard of living of some children, are unequal in different municipalities across the country partly as a result of significant differences in the financial resources available to different municipal authorities, differences in the priorities set by those authorities and differences in systems of assessing needs and granting assistance. These disparities have the effect of providing either unequal access, or different levels of welfare assistance to children, particularly those with disabilities, according to the area of the country in which they reside.

226. **The Committee urges the State party to consider ways in which all children can be guaranteed equal access to the same standard of services, irrespective of where they live, such as, for example, by establishing nationwide standards for and allocation of resources to the implementation of the Convention's provisions in the context of the provision of welfare services.**

Training on the Convention

227. The Committee notes that the training of professionals whose work may involve children is not systematic and that many professionals do not receive such training.

228. **The Committee recommends that the State party develop guidelines for child rights training with regard to the appropriate roles of different professional groups, including teachers, lawyers and police officers, and placing emphasis, where relevant, on the concerns raised by the Committee. The Committee recommends, in particular, that attention be given to providing municipal board members and authorities with training in implementation of the Convention on the Rights of the Child as a whole.**

2. General principles

Non-discrimination

229. The Committee expresses appreciation of the State party's efforts to ensure that, in practice, children within Norwegian jurisdiction, including those whose presence is not in line with legal requirements, benefit from the rights defined in the Convention. The Committee expresses its concern, nevertheless, that this principle is not established in all relevant domestic legislation, that the absence of a legal guarantee may deprive some children without Norwegian nationality of their rights, and that some limitations are placed on these children's access to health and education services.

230. **The Committee recommends that the State party consider the full, including long-term impact of this situation on the rights of children without Norwegian nationality and without legal status living within Norwegian jurisdiction. The Committee further encourages the State party to consider amendments to national legislation which would ensure the full applicability of article 2 of the Convention.**

Best interests

231. The Committee acknowledges the State party's significant efforts to respect the best interests principle but notes that improvements can be made. In particular, the Committee is concerned that in the context of the role of municipal authorities the best interests of the child are not always taken into full consideration and, further, that the best interests of children with an imprisoned parent, unaccompanied child asylum-seekers or refugees are not always a primary consideration.

232. **The Committee recommends that the State party, in consultation with the office of the ombudsperson and with civil society, consider the implications of the best interests principle in the context of the above situations and that further efforts be made to ensure that the principle is a primary consideration in decisions which affect children.**

The right of the child to express his/her views freely

233. The Committee commends the State party for its efforts to respect the rights of children to have their views heard including, notably, through the appointment of child representatives at a municipal level. The Committee joins the State party in expressing concern, however, that in practice children's views are insufficiently heard and taken into consideration. The Committee is concerned that many children are not aware of their rights in this domain under the Convention and national laws, or of the opportunities which have been created for their views to be expressed.

234. **Taking note of the State party's recent commitments, the Committee recommends that the State party continue its efforts to inform children and others, including parents and legal professionals, of children's right to express their views and of the mechanisms and other opportunities which exist for this purpose. The Committee recommends, further, that the State party undertake a regular review of the extent to which children's views are taken into consideration and of the impact this has on policy, programme implementation and on children themselves.**

3. Civil rights and freedoms

Freedom of thought, conscience and religion

235. The Committee is concerned that the approach taken by the State party's Act No. 61 of 17 July 1998 relating to primary, lower secondary and upper secondary education, which introduces a new common curriculum on "Religions, Knowledge and Ethical Education", may be discriminatory. The Committee is concerned notably by the process of providing for exemptions to those children and parents who do not wish to participate in parts of the teaching.

236. **The Committee recommends that the State party review the implementation of the new curriculum and consider an alternative exemption process.**

Violence and harmful information

237. The Committee acknowledges the State party's recognition of a rise in acts of violence in society and particularly among young people, including older children.

238. **The Committee recommends that the State party pursue its efforts to address the causes of such violence and to reduce its incidence.**

4. Family environment and alternative care

Separation from parents

239. The Committee is concerned that the best interests of the child and, in particular, child rights with regard to separation from parents are not fully respected in the context of maintaining contact with parents serving prison sentences. The Committee is further concerned that despite the State party's positive efforts, when decisions to deport foreigners convicted of a criminal offence are taken, professional opinions on the impact of such decisions upon the children of the deported persons are not systematically referred to and taken into consideration.

240. **The Committee recommends that the State party be more flexible in its application of family contact rules for imprisoned persons so as to ensure that a child maintains personal relations and direct contact with an imprisoned parent, where this is in the best interests of the child. The Committee also recommends that the State party review the process through which deportation decisions are made to ensure that where deportation will mean the separation of a child from his or her parent, the best interests of the child are taken into consideration.**

Family reunification

241. While supporting the State party's very positive approach to family reunification of non-Norwegian children, the Committee is concerned that the significant domestic measures providing for family reunification are not applied to their full extent. In particular, the Committee is concerned that children are not always able to take advantage of these provisions either because they have not been informed of the possibilities for family reunification because of procedural delays, or because procedures are not systematic.

242. **The Committee urges the State party to establish a standard procedure through which children and other concerned persons such as their parents or legal guardians, are informed of the possibilities and procedures for family reunification and for these procedures to be implemented systematically in accordance with set guidelines.**

Protection of the child deprived of a family environment

243. The Committee is concerned by the increase in the numbers of children being placed outside their parental home, in particular through the informal voluntary placement procedure which might not always guarantee that the best interests of the child are observed.

244. **The Committee recommends that the State party carefully analyse both the factors which lead to the need to place children outside their parental homes and the practice of informal placement itself, and take effective measures to guarantee that the rights of children to family life and the best interests of the child are respected.**

5. Basic health and welfare

245. The Committee is concerned at the high incidence of anorexia nervosa and bulimia and by the prevalence of alcohol consumption among adolescents. The Committee also expresses its concern at the continuing incidence of suicide by children, especially boys.

246. **The Committee encourages the State party to continue its efforts to address cases of anorexia nervosa and bulimia which are both medical and psychological problems. In addition, the Committee notes the efforts made by the State party to reduce the level of alcohol consumption among adolescents and recommends that the State party continue to promote a healthy life style among adolescents. Further, recognizing that it can be difficult to identify all cases of suicide by children and in accordance with its recommendation in paragraph 17 of its 1994 concluding observations (CRC/C/15/Add.23), the Committee recommends that the State party continue its research into the incidence and causes of child suicide, including by children under the age of 10, and to use the results of this research to inform and further develop the State party's 1994 suicide prevention programme.**

Children with disabilities

247. The Committee is concerned that children with disabilities do not have the best possible social integration with their peers.

248. **Recognizing the State party's efforts to ensure that the rights of children with disabilities are fully realized and in light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69), the Committee recommends that the State party continue its efforts to ensure that children with disabilities are able to share their time with other children, as emphasized in the State party's second plan of action.**

Mental health services

249. The Committee joins the State party in expressing concern at the long waiting list and delayed access to mental health services and professionals for children which are due to an insufficient number of psychologists and psychiatrists.

250. **The Committee encourages the State party to explore ways of providing children with more timely access to mental health services, and to address in particular the shortage of psychiatrists and psychologists.**

Childcare services

251. The Committee joins the State party in expressing concern at the continuing need for additional day-care places and that the available cash benefit scheme does not compensate for this need.

252. **The Committee joins the State party in recommending an evaluation of the cash benefit scheme and recommends further that the State party pursue its original aim of ensuring that day-care places are available for all children.**

6. Education, leisure and cultural activities

Right to education

253. The Committee joins the State party in expressing concern at limitations, and the lack of specialization, in the educational background of some teachers and notes that such limitations have a negative impact on education and pupils and are a consequence of numerous factors, including teachers' low salaries.

254. **The Committee recommends that the State party study the impact of low teachers' salaries and other factors on education in the State party and that efforts be made to address the problems identified.**

Access to education

255. The Committee is concerned that many Roma children, and the children of other itinerant groups, in the State party do not complete the required years of obligatory education.

256. **The Committee recommends that the State party explore means of making formal education more accessible to children who travel for a part of the year, such as through the use of mobile communications facilities and distance learning programmes.**

7. Special protection measures

Unaccompanied, asylum-seeking and refugee children

257. The Committee is concerned that the provisions and principles of the Convention are not entirely respected with regard to asylum-seeking children. Specifically, the Committee is concerned that child applicants for asylum are provided with insufficient opportunities to participate in their application process and that their views are insufficiently taken into consideration. The Committee considers that positive mechanisms, such as the appointment of individual guardians for each unaccompanied asylum-seeking child, are not implemented to their

full extent. Further, the Committee is concerned by delays in the processing of asylum applications and the fact that some child applicants are not integrated into local education systems.

258. **Recognizing the State party's ongoing plans to improve child participation in these procedures, the Committee encourages the State party to pursue these efforts and recommends that the State party review its procedures for considering applications for asylum from child[ren], whether accompanied or unaccompanied, to ensure that children are provided with sufficient opportunities to participate in the proceedings and to express their concerns. Recognizing further the valuable contribution that can be made by the guardian mechanism developed by the State party, the Committee recommends that additional efforts be made to implement the mechanism and to ensure that it functions as intended, including through the provision of appropriate training to guardians.**

259. **The Committee recommends that the State party examine the reasons for delays in the procedures for processing applications and for the settlement of children, with a view to shortening them. The Committee also recommends that the State party make further efforts to ensure the rapid integration of children into the normal school system. The Committee recommends, in addition, that the State party consider the provisions and principles of the Convention in the review of procedures.**

260. Noting the additional efforts of the State party to provide psycho-social assistance to refugee and asylum-seeking children, the Committee joins the State party in expressing concern that not all children in need of such help are given the opportunity to receive it. The Committee is also concerned at cases of malnutrition among refugee and asylum-seeking children upon their arrival in the State party.

261. **The Committee recommends that the State party pursue its plans to extend the current available psychological assistance to a wider number of children and their parents, and to ensure that every effort is made to identify children who require such help, upon their arrival in the State party. The Committee encourages the State party to continue its efforts to address malnutrition concerns.**

Juvenile justice

262. The Committee is concerned that current responses by the State party to children who commit crimes often focus either uniquely on child welfare action or, for children over 15, on responses appropriate for adult offenders, with insufficient emphasis being placed on the preventive and rehabilitative aspects of juvenile justice.

263. **The Committee recommends that the State party pursue its efforts to ensure that the best interests of the child are a primary consideration in the context of juvenile justice proceedings, giving greater consideration to the need for prevention and rehabilitation of child offenders.**

Sexual exploitation and abuse

264. The Committee is concerned at incidents of sexual abuse in the State party and that existing State party resources for addressing such concerns are not used to their most effective potential.

265. **The Committee urges the State party to continue its efforts to prevent and address cases of sexual abuse by increasing the resources available, including for an appropriate review of the employment of adult staff working with children, by monitoring, through the legal processes of responding to accusations of child abuse, by training of legal and other relevant professionals, and by the timely provision of care to the victims of such acts.**

8. Dissemination of the reports

266. The Committee commends the State party for its wide and early dissemination of its 1993 initial report. The Committee is concerned, however, that the 1998 report did not receive the same wide distribution and, in particular, that it was not printed in Norwegian early enough to facilitate comments by Norwegian NGOs.

267. **In light of article 44, paragraph 6, of the Convention, the Committee recommends that the second periodic report, the list of issues raised by the Committee and the written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention, its implementation and monitoring within the Government, the Parliament and the general public, including concerned NGOs.**

Concluding observations of the Committee on theRights of the Child

KYRGYZSTAN

268. The Committee considered the initial report of Kyrgyzstan (CRC/C/41/Add 6), submitted on 16 February 1998, at its 627th and 628th meetings (see CRC/C/SR 627-628), held on 23 May 2000, and adopted the following concluding observations.

A. Introduction

269. The Committee notes that the State party report was prepared in accordance with the guidelines for reporting, and covered almost all the provisions. Moreover, the quality of the report is reflected in the comprehensive information provided, and its self-criticism. The Committee appreciates the informative and detailed responses to the list of issues, and the presence of a high-level delegation which contributed to an open and frank dialogue.

B. Positive aspects

270. The Committee welcomes the adoption of the 1998 Law on the Protection of Minors' Rights, and the adoption of numerous legislative and administrative measures related to the rights of children, which demonstrate the commitment of the State party towards its obligations under the Convention.

271. The Committee notes the State party has ratified the six major international human rights instruments, and maintains a timely record of report submission to the treaty bodies.

C. Factors and difficulties impeding the implementation of the Convention

272. The Committee notes that the State party has had to face serious economic, social and political challenges during the past few years posed by the transition to a market economy, including increased unemployment and poverty, which has had a severe impact, especially on the most vulnerable segments of society.

D. Principal subjects of concern and Committee recommendations

1. General measures of implementation

Coordination, budgetary allocation and cooperation with civil society

273. Noting that the State party has adopted various legislative and administrative measures relating to children's rights, the Committee is concerned that the implementation of these measures is impeded by several factors, namely deficiencies in coordination, budgetary allocation and resources, and the involvement of civil society.

274. Despite the existence of several governmental committees which deal with children's issues, such as the State Commission for Family, Women's and Youth Affairs, and the Commission for Minors, there remains a lack of administrative coordination and cooperation at the national and local government levels.

275. **While appreciating that decentralization of services allows local authorities to respond better to local needs, the Committee emphasizes that the State party is responsible for ensuring that resources reach the most vulnerable groups. The Committee recommends that the State party adopt a comprehensive national plan of action to implement the Convention, and give attention to intersectoral coordination and cooperation at and between national and local levels of government. The Committee recommends that the State party provide adequate support to local authorities, including development of professional capacity, for implementation of the Convention.**

276. The Committee is concerned that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of economic, social and cultural rights of children.

277. **The Committee recommends that the State party develop ways to establish a systematic assessment of the impact of budgetary allocations on the implementation of children's rights, and collect and disseminate information in this regard. The Committee recommends that the State party ensure the adequate distribution of resources at the national and local levels and, where needed, within the framework of international cooperation.**

278. Noting the State party's efforts to involve civil society in the preparation of the report, the Committee is concerned that insufficient efforts have been made to involve civil society in the implementation of the Convention.

279. **Recognizing that the process of transition has led to the dismantling of many public social regulators, the Committee emphasizes the important role civil society plays as a partner in implementing the provisions of the Convention, including with respect to civil rights and freedoms, ill-treatment, and juvenile justice. The Committee recommends that the State party consider a systematic approach to involve civil society, especially children's associations and advocacy groups, throughout all stages of the implementation of the Convention, including policy-making. In this regard, the Committee recommends that greater efforts be made to involve relevant State actors, such as local government officials and the police, in the dialogue with civil society and further encourages the State party to support initiatives aimed at strengthening the role of civil society and to equip State actors with the knowledge and skills essential for working in partnership with local institutions.**

Independent/monitoring structures

280. The Committee is concerned that disaggregated data of persons under 18 years relating to the rights contained in the Convention is not used effectively because of an absence of a mechanism to analyse them.

281. **The Committee recommends that the State party establish a mechanism to systematically analyse disaggregated data and use this information as a basis to assess progress and design policies to implement the Convention. The Committee encourages the State party to seek technical assistance from UNICEF, among others, in this regard.**

282. The Committee emphasizes the importance of setting up an independent mechanism with the mandate to monitor regularly and evaluate progress in the implementation of the Convention at the national and local levels.

283. **The Committee encourages the State party to establish a statutory body with an independent membership and adequate resources, with the mandate to monitor regularly and evaluate progress in the implementation of the Convention and to receive and deal with complaints of violations of child rights.**

Training/dissemination of the Convention

284. Although the Convention is binding and has the force of law, the Committee is concerned that it has not been invoked in the courts because of insufficient awareness of the Convention amongst the judiciary, lawyers, and the general public, including children. While noting efforts in this regard, the Committee nevertheless is concerned that the State party is not undertaking adequate dissemination and awareness-raising activities in a systematic and targeted manner.

285. **The Committee recommends that the State party develop an ongoing programme for the dissemination of information regarding the implementation of the Convention among children and parents, civil society, and all sectors and levels of government. The Committee encourages the State party to pursue efforts to promote children's rights education in the country, including initiatives to reach the most vulnerable groups. Moreover, the Committee recommends that the State party strengthen its efforts to develop systematic and ongoing training programmes on the provisions of the Convention for all professional groups working with children (e.g. judges, lawyers, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers). The Committee encourages the State party to seek technical assistance from, among others, OHCHR and UNICEF, in this regard.**

2. Definition of the child

286. Notwithstanding the definition of a minor as a person under 18 under the Law on the Protection of Minors' Rights, the Committee is concerned with inconsistencies of this definition with other legislation and government decisions (e.g. Decisions No. 263 of 2 May 1997 and No. 150 of 8 April 1996 in relation to assistance paid to families of disabled children up to the age of 16 years), and the inadequate enforcement of minimum-age standards (i.e. with respect to early marriage, purchase of alcohol, etc.).

287. **The Committee recommends that the State party ensure that legislation or policy relevant to persons under 18 is consistent with the definition contained in the Law on the Protection of Minors' Rights and make greater efforts to enforce minimum-age requirements.**

3. General principles

Non-discrimination

288. The Committee is concerned at the prevailing disparities in the enjoyment of the rights of children in Kyrgyzstan. In particular, the Committee is concerned at the situation of children living in institutions; in regions of the country which are lagging behind in socio-economic development; and of children of rural and poor families. The Committee is concerned that the guarantee of non-discrimination in article 2 of the Convention may be jeopardized, for example by the 1998 social security law which effectively deprived all non-citizens of rights to social

security benefits, except for education fee discounts for families with many children and/or of low income; and the practice whereby non-citizens are subject to higher fees demanded by health practitioners.

289. **The Committee recommends that the State party take all necessary measures to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2. The Committee recommends that the State party prioritize and target social services for children belonging to the most vulnerable groups.**

290. The Committee is concerned that in practice the system of residence registration in Kyrgyzstan may restrict the rights of children belonging to vulnerable groups (e.g. refugees, non-citizens, migrants and persons internally displaced owing to conflict, economic factors, or environmental disasters) to access to health care and other social services. In particular, the Committee is concerned at reports that at the local level, officials are sometimes reluctant to see migrants settle in their jurisdiction and do not observe regulations concerning temporary residence registration. Moreover, the Committee is concerned that individuals without appropriate documentation for residing in Bishkek risk relocation to another part of the country.

291. **The Committee recommends that the State party ensure that the registration system does not pose a barrier to access to services, particularly for the most vulnerable groups. The Committee recommends that the State party consider the experience of States that have replaced the propiska system with systems which correspond better to international standards in the area of freedom of movement.**

292. Like the Committee on the Elimination of Discrimination against Women (A/54/38), the Committee is concerned that de facto discrimination on the grounds of gender persists and expresses its concern at the persistence of stereotypical attitudes relating to roles and responsibilities of women and men.

293. **The Committee encourages the State party to launch comprehensive public education campaigns to prevent and combat gender discrimination, particularly within the family.**

Respect for the views of the child

294. In light of article 12 of the Convention, the Committee is concerned that respect for the views of the child remains limited owing to traditional societal attitudes towards children in schools, care institutions, the justice system, and especially within the family.

295. **The Committee encourages the State party to promote and facilitate, within the family, the school, care institutions, and the justice system, respect for the views of children and their participation in all matters affecting them, in accordance with article 12 of the Convention. In this regard, the Committee recommends that the State party develop skills-training programmes in community settings for teachers, social workers and local officials to assist them to help children to express their informed decisions and to take these views into consideration.**

4. Civil rights and freedoms

Birth registration

296. Given that failure of timely registration of the birth of children can have negative consequences on the full enjoyment of their fundamental rights and freedoms, the Committee is concerned that many parents in rural areas, particularly internal migrants, fail to register their children owing to a lack of knowledge that it is necessary, lack of access to registration facilities, lack of documentation, and inability to pay registration fees.

297. **In light of article 7 of the Convention, the Committee recommends that the State party make greater efforts to ensure free and timely registration of all births and take measures as regards training and awareness-raising of registration in rural areas. The Committee encourages steps such as the establishment of mobile registration offices and registration units in schools and health facilities.**

298. The Committee is concerned that persons under 18 are restricted in their freedom of association.

299. **The Committee recommends that the State party ensure that any restrictions that are imposed comply strictly with limitations that are in accordance with article 15, paragraph 2, of the Convention and are "imposed in conformity with the law and ... are necessary in a democratic society in the interests of national security or public safety, public order, the protection of health or morals or the protection of the rights and freedoms of others".**

Protection from torture, inhuman or degrading treatment or punishment

300. The Committee is concerned at numerous and continuing reports of ill-treatment of persons under 18 by the militia, including psychological intimidation, corporal punishment, torture and abduction. The Committee is concerned that victims of such treatment are largely from vulnerable groups, such as refugees; that children are often detained for payment from their families; and that fear of reprisals and inadequate complaints procedures discourage children and their parents from filing complaints. Like the Committee against Torture (CAT/C/23/6), the Committee expresses concern at the absence of a definition of torture in the 1998 Criminal Code and appropriate penalties, and the apparent failure to provide prompt, impartial and full investigation into allegations of torture, as well as the failure to prosecute alleged perpetrators.

301. **In light of article 37 of the Convention, and recalling the Code of Conduct for Law Enforcement Officials (General Assembly resolution 34/169), the State party should take all necessary and effective steps to prevent incidents of ill-treatment from occurring. The Committee recommends that the State party implement the recommendations made by the Committee against Torture (CAT/C/23/6); provide the militia with training on how to deal with persons under 18; ensure that persons are adequately informed of their rights when they are detained; ensure that complaints procedures are simplified so that responses are appropriate, timely, child-friendly and sensitive to victims; and provide rehabilitative support to victims.**

5. Family environment and alternative care

Children deprived of a family environment

302. The Committee is concerned about the large number of children, especially children with disabilities, who are abandoned or are otherwise deprived of a family environment. Further, it is concerned that foster care or other forms of family-based alternative care are not sufficiently developed and available; that as a result children are placed in institutions which, owing to a lack of resources, provide children with very low-quality housing and care; and that the location and features of institutions do not facilitate family contact. The Committee is concerned at the absence of effective mechanisms for children to communicate concerns and complaints about their placement. In light of article 25 of the Convention, the Committee is concerned at the inadequate system to review placement, monitoring, or follow-up of the situation of children in institutions.

303. **The Committee recommends that the State party take all effective measures, including the development of strategies and awareness-raising activities, to reduce and prevent the abandonment of children. In particular, the Committee recommends that the State party promote the family as the best environment for the child through counselling and community-based programmes to assist parents to keep children at home. Moreover, it is recommended that the State party take all effective measures to increase and strengthen foster care, family-type foster homes and other family-based alternative care, and place children in institutions only as a last resort. The Committee recommends that the State party undertake a comprehensive review of conditions in institutions; take all necessary measures to improve infrastructure; and ensure that children living in institutions enjoy all the rights laid down in the Convention, in accordance with article 2. The Committee recommends that the State party review existing policies and practices to ensure that children in institutions can maintain links with their families. The Committee recommends that the State party provide support and training for personnel in institutions, including social workers. The Committee recommends that the State party establish effective mechanisms to receive and address complaints from children in care, monitor standards of care, and establish regular periodic review of placement.**

Adoption

304. Noting the increase in national adoption and long-term foster placements, the Committee is concerned about the absence of national standards, particularly in relation to foster and adoptive family screening. Moreover, the Committee is concerned at the absence of mechanisms to review, monitor and follow up adoptions, and of statistics on foster care and adoption. The Committee is also concerned about the practice of secret adoptions.

305. **The Committee recommends that the State party establish a comprehensive national policy and guidelines governing foster care and adoption, including screening, and a central monitoring mechanism in this regard. The Committee recommends that the State party ensure that adopted children who have reached the age of majority have the right of access to the identity of their biological parents, in accordance with Kyrgyz custom. The**

Committee recommends that when the State party envisages lifting its suspension on intercountry adoptions, it accede to the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993.

Violence/abuse/neglect/maltreatment

306. The Committee is concerned, as the report acknowledges, that ill-treatment of children takes place in the family, institutions and schools. The Committee is concerned that violence against women is on the rise and is a problem in Kyrgyzstan, and that this has harmful consequences on children.

307. **In light of articles 19 and 39 of the Convention, the Committee recommends that the State party ensure that all forms of physical and mental violence, including corporal punishment and sexual abuse against children in the family, schools and care institutions, are prohibited. The Committee recommends that these measures be accompanied by public education campaigns about the negative consequences of ill-treatment of children. The Committee recommends that the State party promote positive, non-violent forms of discipline as an alternative to corporal punishment, especially in the home and schools. Programmes for the rehabilitation and reintegration of abused children need to be strengthened. Moreover, adequate procedures and mechanisms need to be established to receive complaints; monitor, investigate and prosecute instances of ill-treatment; and ensure that the abused child is not victimized in legal proceedings. As regards violence against girls and women, the Committee recommends that the State party implement the recommendations of the Committee on the Elimination of Discrimination against Women (A/54/38). Attention should be given to addressing and overcoming sociocultural barriers that inhibit victims from seeking assistance. The Committee recommends that the State party seek assistance from, among others, UNICEF and WHO.**

6. Basic health and welfare

Children with disabilities

308. The Committee is concerned at the prevailing poor situation of children with disabilities. In particular, the Committee is concerned at the practice of institutionalizing children with disabilities, and that access to services such as rehabilitation and education are limited and severely strained.

309. **The Committee recommends that the State party review existing policies and practice in relation to children with disabilities, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted on its day of general discussion on children with disabilities (CRC/C/69), and ensure that they enjoy all the rights contained in the Convention. The Committee recommends that the State party provide early childhood care and special education for children with disabilities; develop entry-grade detection capacity within the primary school system; and provide services for children with learning disabilities and behavioural disorders. The Committee recommends that the State party make greater efforts to implement alternatives to the**

institutionalization of children with disabilities, including community-based rehabilitation programmes and reunification of children with their parents. Awareness campaigns which focus on prevention, inclusive education, family care and the promotion of the rights of children with disabilities need to be undertaken. Adequate support, supervision and training should be given to persons working with these children. The Committee encourages the State party to seek assistance from, among others, UNICEF, UNESCO, WHO and relevant NGOs.

Right to health and health services

310. Noting efforts to strengthen the primary health sector, the Committee is nevertheless concerned by the deterioration in the health of the most vulnerable groups, especially women and children. In particular, the Committee notes the increase in the incidence of communicable diseases, including vaccine-preventable diseases, and in childhood malnutrition. Moreover, the Committee is concerned that because of distant facilities and insufficient numbers of personnel and medication, children in rural regions suffer most.

311. **The Committee recommends that the State party ensure that its commitment to primary health care, including implementation of the Integrated Management of Childhood Illnesses strategy, is met by adequate allocation of resources, both human and financial, and that all children, especially from the most vulnerable groups, have access to health care. The Committee recommends that the State party undertake awareness-raising campaigns to ensure that families, especially refugee families, are adequately informed of the need to be registered in polyclinics. The Committee recommends the State party establish comprehensive family planning programmes, as well as measures to ensure that abortion is not perceived as a method of contraception. The State party is encouraged to continue cooperation with and seek assistance from, among others, UNICEF and WHO.**

312. With regard to adolescent health, the Committee is concerned at the high and increasing rate of teenage pregnancies and the consequently high rate of abortions among girls under 18. The Committee notes that various factors, including limited availability of contraceptives, poor reproductive health education and the requirement of parental consent, have resulted in an increasing number of illegal abortions among girls. The Committee is concerned with the rise in rates of STDs, particularly syphilis, and the spread of HIV/AIDs.

313. **The Committee recommends that the State party undertake a comprehensive study to understand the nature and extent of adolescent health problems, with the full participation of adolescents, and use this as a basis to formulate adolescent health policies and programmes. While recognizing that parents play an important role in this regard, cultural attitudes and lack of knowledge and communication skills by parents may be barriers to accurate reproductive health information and counselling. In this regard, the Committee recommends that adolescents have access to and be provided with reproductive health education and child-friendly counselling and rehabilitation services. The State party is encouraged to continue cooperation with and seek assistance from, among others, UNICEF and WHO.**

314. In light of article 24 of the Convention, the Committee expresses its concern at problems involving the recycling, collection and disposal of waste in urban areas and poor access to safe water and adequate sanitation in rural areas, which negatively impact upon the health of children. Moreover, the Committee is concerned at the inadequate measures taken to protect the health of children from the negative impact of dangerous environmental hazards resulting from inappropriate storage of, inter alia, radioactive and toxic wastes.

315. **In light of article 24 (c) of the Convention, the Committee recommends that the State party take all appropriate measures, including international cooperation, to prevent and combat the damaging effects of environmental degradation on children, including pollution and contamination of water supplies. The Committee encourages the State party to collect data on access to clean water and sanitation.**

Right to an adequate standard of living

316. The Committee notes that one of the many consequences of economic transition is deterioration in the family environment, leading to an increase in homeless children in the streets and markets of Bishkek and other cities. The Committee expresses its concern about the situation of children living and/or working on the streets, who are amongst the most marginalized groups of children in Kyrgyzstan.

317. **The Committee recommends that the State party establish mechanisms to ensure that these children are provided with identity documents, food, clothing and shelter. Moreover, the State party should ensure these children have access to health care; rehabilitation services for physical, sexual, and substance abuse; services for reconciliation with their families; comprehensive education, including vocational and life-skills training; and legal aid. The State party should cooperate and coordinate its efforts with civil society in this regard. The Committee recommends that the State party seek assistance from, among others, UNICEF.**

7. Education, leisure and cultural activities

Right and aims of education

318. The Committee is concerned at the deterioration in the quality of education, especially infrastructure, teaching and curricula. The Committee is concerned at declining pre-school enrolment and the persistence of high drop-out, repetition and absenteeism rates in primary and secondary schools.

319. **The Committee recommends that the State party take all necessary measures to allocate the required resources, both human and financial, to implement effectively the Education for All Programme. The Committee recommends that the State party take due regard of the aims of education laid down in article 29, and consider introducing human rights, including the Convention on the Rights of the Child, into the school curricula, including at the primary level. The Committee recommends that the State party promote the importance of early childhood care and development programmes, especially among low-income households, and stimulate informal community schemes in this regard. The**

Committee recommends that the State party promote the participation of parents and communities, especially ethnic minorities, in school governance to improve enrolment rates and monitor the quality of education. The Committee encourages the State party to seek assistance from, among others, UNICEF, UNESCO and relevant NGOs.

8. Special measures of protection

Asylum-seeking and refugee children

320. The Committee is concerned at the situation of refugee and asylum-seeking children in Kyrgyzstan. The Committee is concerned that the existing system of refugee status determination is inefficient, and subject to substantial delays. Moreover, eligibility criteria, such as the three-day deadline for filing refugee status claims, and the safe third country rule, as applied, may arbitrarily deny de facto refugee children protection to which they are entitled to under the Convention and relevant international refugee instruments. The Committee is concerned that the issue of documentation is a serious problem for non-nationals, especially asylum-seekers. The Committee notes that refugee documentation is provided only to the head of household, and that this causes problems for "undocumented" children when encountering the militia, who constantly harass these children and subject them to fines and detention. The Committee notes, for example, the difficult situation of rejected refugee claimants who are denied refugee documentation yet whose illegal residence is tolerated, most notably Afghans.

321. **The Committee recommends that the State party review its asylum determination policy and ensure that it complies with international standards. The Committee recommends that the State party undertake effective public education campaigns to inform asylum-seekers, especially those newly arrived, about asylum procedures and the importance of children having documentation; provide practical assistance in obtaining birth certificates for every child and adequate procedures for the replacement of lost identity and travel documentation; and establish a system allowing refugee and asylum-seeking children to have their own documentation. The Committee recommends that the State party ensure that the payment of fines for non-possession of documentation should be made only to a court or officials not involved in the citation; issuance of receipts be mandatory; and those detained not be required to pay the costs of their detention. The Committee encourages the State party to continue and expand its cooperation with international agencies such as UNHCR and UNICEF.**

Economic exploitation

322. The Committee is concerned that the negative effects of the current economic crisis have resulted in an increasing number of children dropping out of school and taking up work. The Committee expresses its concern at children working in the informal sector, especially children from rural backgrounds who may be at special risk, many of whom are working in hazardous conditions. In particular, the Committee is concerned that children involved in tobacco and cotton harvesting often receive no training on safety precautions when working with toxic pesticides and herbicides. There is also concern about child labour in mines in the south.

323. **The Committee recommends that the State party ensure that the minimum age for admission to employment is enforced. Employers should be required to have and produce on demand proof of age of all children working on their premises. A national mechanism to monitor the implementation of standards at State and local levels should be established, and empowered to receive and deal with complaints of violations. The Committee recommends that the State party undertake a national survey on the nature and extent of child labour. The Committee recommends that the State party carry out campaigns to inform and sensitize the general public, especially parents and children, of work hazards. It is also recommended that the State party ratify the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182). The State party should seek assistance from, among others, ILO.**

Drug abuse

324. The Committee is concerned about the increasing use of and traffic in illicit drugs, alcohol abuse, and the alarming rates of tobacco use among persons under 18 years.

325. **The Committee recommends that the State party undertake a national survey on the nature and extent of substance abuse. With the full participation of adolescents, including in its implementation and evaluation, the Committee recommends that the State party develop a national drug control plan, or a master plan, with the guidance of the United Nations Drug Control Programme (UNDCP). The Committee encourages the State party to provide children with accurate and objective information about substance use, including tobacco use, and protect children from harmful misinformation through comprehensive restrictions on tobacco advertising. The Committee further recommends that the State party develop rehabilitation services for children who are victims of substance abuse. The Committee recommends that the State party seek assistance from WHO and UNICEF.**

Sexual exploitation and sexual abuse

326. Like the Committee on the Elimination of Discrimination against Women (A/54/38), the Committee is concerned at the increase in prostitution and the trafficking of girls and women and the absence of an effective, comprehensive and integrated approach to prevent and combat these phenomena. The Committee is concerned at the insufficient data and awareness of commercial sexual exploitation of children in Kyrgyzstan.

327. **The Committee recommends that the State party undertake a national study on the nature and extent of commercial sexual exploitation of children, and that disaggregated data be compiled and kept up to date to serve as a basis for designing measures and evaluating progress. The Committee recommends that the State party review its legislation and ensure that it criminalizes the sexual abuse and exploitation of children and penalizes all offenders, whether national or foreign, while ensuring that the child victims are not penalized. The Committee recommends that the State party ensure that domestic laws concerning the sexual exploitation of children be gender neutral; provide civil remedies in the event of violations; ensure that procedures are simplified so that responses are appropriate, timely, child-friendly and sensitive to victims; include provisions to protect**

from discrimination and reprisals those who expose violations; and vigorously pursue enforcement. Rehabilitation programmes and shelters should be established for child victims of sexual abuse and exploitation. There is a need to adequately train personnel working with child victims. The Committee recommends that the State party carry out awareness-raising campaigns to sensitize and mobilize the general public on the child's right to physical and mental integrity and safety from sexual exploitation. Bilateral and regional cooperation should be reinforced, which involves cooperation with neighbouring countries.

Administration of juvenile justice

328. The Committee is concerned that juvenile offenders are not dealt with separately under the justice system; and that there are no special procedures or specially trained personnel. Despite laws to the contrary, the Committee is concerned that the militia often do not notify parents of arrests, and that often neither parents nor lawyers are present during questioning of juveniles. In relation to pre-trial detention, the Committee expresses its concern at the length of detention; the limited access to visitors; and that juveniles are often detained with adults during this period. The Committee is concerned at the limited access to adequate legal aid for poor individuals; the often disproportionate length of sentences meted out in relation to the seriousness of offences; and that girls are detained with adult females. The Committee is concerned at the poor conditions of the facilities; inadequate nutrition, clothing and psychological and medical care; and the lack of access to adequate recreational, educational and vocational facilities. The Committee is also concerned at the lack of facilities for the physical and psychological recovery and social reintegration of juvenile offenders. The Committee is concerned that, even when a case against a juvenile has been dismissed by the prosecutor, the charge remains on the register because people are often not aware of how to have it struck off. This may result in stigmatization of innocent people.

329. **The Committee recommends that the State party take all measures to integrate fully into its legislation and practice the provisions of the Convention, in particular articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System. Facilities and programmes for the physical and psychological recovery and social reintegration of juveniles should be developed. The Committee recommends that the State party seek assistance from, among others, OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice, and UNICEF through the Coordination Panel on Juvenile Justice.**

9. Dissemination of the reports

330. **Finally, the Committee recommends that in accordance with article 44, paragraph 6, of the Convention, the initial report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion and the concluding observations adopted thereon by the Committee following its consideration of the report. Such a document**

should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned NGOs.

Concluding observations of the Committee on the Rights of the Child

CAMBODIA

331. The Committee considered the initial report of Cambodia (CRC/C/11/Add.16), submitted on 18 December 1997, at its 629th and 630th meetings (see CRC/C/SR.629-630), held on 24 May 2000, and adopted the following concluding observations.

A. Introduction

332. The Committee welcomes the submission of the State party's initial report, which follows the guidelines for reporting, and of the written replies to its list of issues (CRC/C/Q/CAM.1). The Committee is encouraged by the constructive dialogue it had with the State party's delegation and welcomes the reactions to the suggestions and recommendations made during the discussion. The Committee also welcomes the presence of a high-ranking delegation directly involved in the implementation of the Convention which allowed the Committee to have a full assessment of the situation of the rights of the child in the State party.

B. Positive aspects

333. The Committee welcomes Cambodia as a State party to the six major international instruments for the protection of human rights. The State party's ratification (1999) of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction is also welcomed.

334. The Committee welcomes the inclusion by the State party in its 1993 Constitution (art. 48) of the protection of the rights enshrined in the Convention of the Rights of the Child.

335. The memorandum of understanding signed by the Government of Cambodia and the Office of the High Commissioner for Human Rights (1996), which established a programme of technical assistance and advisory services on human rights, including the rights of the child, is welcomed by the Committee.

336. The Committee welcomes the measures taken by the State party to combat child labour such as the ratification in 1999 of the ILO Minimum Age Convention (No. 138) and the signing of a memorandum of understanding by the Government of Cambodia and ILO/IPEC in 1997.

337. The Committee welcomes the participation of non-governmental organizations in the preparation of the State party's initial report as well as in the implementation of the Convention.

C. Factors and difficulties impeding progress in the implementation of the Convention

338. The Committee notes with concern that the State party is facing many difficulties in the implementation of the Convention, in particular owing to the legacy of more than 20 years of genocide, armed conflict and political instability as well as to the isolation suffered by the State party for many years. The Committee also notes that the State party's very difficult socio-economic situation is affecting the most vulnerable groups, including children, and hampers the enjoyment of their rights.

D. Principal areas of concern and recommendations

1. General measures of implementation

Legislation

339. While aware that the State party's legislative framework covers several provisions of the Convention and that efforts have been undertaken to draft new legislation, the Committee remains concerned that domestic legislation still needs to be reviewed and new laws enacted to fully respect the Convention. The lack of enforcement of the existing legislation is also a matter of concern.

340. **The Committee recommends that existing laws be reviewed with a view to bringing them into line with the provisions of the Convention, in particular with general principles (arts. 2, 3, 6 and 12). Special attention needs to be paid to the areas of birth registration, family and alternative care, and juvenile justice. The Committee further recommends that the State party include children's rights concerns in the current and future processes of drafting legislation, in particular the draft Civil, Criminal and Criminal Procedures Codes. In this regard, the Committee encourages the State party to continue to seek technical assistance from OHCHR and UNICEF, among others.**

Coordination

341. Although the Committee welcomes the establishment of the Cambodian National Council for Children (CNCC), which is in charge of coordinating the implementation of the Convention, it expresses its concern about the Council's ability to carry out its mandate fully in an effective manner throughout the territory of the State party. In particular, concern is expressed at the Council's lack of human and financial resources.

342. **The Committee recommends that the State party take effective measures, including through international cooperation, to strengthen the role of the Cambodian National Council for Children (CNCC) in coordinating the implementation of the Convention at the national, regional and local levels. Greater efforts should be made to provide the CNCC with more substantial human and financial resources and to establish closer cooperation and coordination with non-governmental organizations working in the field of children's rights.**

Monitoring

343. The Committee is concerned at the State party's limited capacity to monitor the implementation of the Convention and at the absence of an independent mechanism to register and address complaints from children concerning violations of their rights under the Convention.

344. **The Committee recommends that the State party consider establishing an independent mechanism (e.g. Ombudsperson for Children) to monitor the implementation of the Convention and to deal with children's complaints of violations of their rights in a child-friendly and expeditious manner, and to provide remedies for such violations. The Committee further suggests that the State party conduct awareness-raising campaigns to facilitate the effective use by children of the mechanism.**

Data collection

345. The Committee welcomes the measures taken by the State party in the area of data collection, such as the Education Management Information System and the Health Information System. Nevertheless, concern is expressed at the lack of a systematic, comprehensive and disaggregated quantitative and qualitative data collection mechanism for all areas covered by the Convention, including child abuse and ill-treatment, children belonging to minority groups, girls, children in rural areas, and child victims of sale, trafficking and prostitution.

346. **The Committee recommends that the State party continue with the development and strengthening of its data collection system, with a view to including all areas covered by the Convention. Such a system should include all children under 18 years of age and specifically emphasize vulnerable groups of children as a basis for assessing progress achieved in the realization of children's rights and be used to help design policies for better implementation of the provisions of the Convention. In this regard, the Committee encourages the State party to seek international assistance from UNICEF, among others.**

Budgetary allocations

347. While the Committee is aware that most of the State party's infrastructure and social services were destroyed as a result of decades of war, it expresses its concern at the insufficient attention paid to the provisions of article 4 of the Convention concerning budgetary allocations to the "maximum extent of ... available resources".

348. **The Committee recommends that the State party give priority to ensuring that the maximum available resources are allocated to health, education and social services for children and that particular attention is paid to the protection of children belonging to vulnerable and marginalized groups. In this regard, the Committee encourages the State party to continue and foster open cooperation with the international community, in particular within the coordinated framework of the donors' Consultative Group on Cambodia.**

Dissemination of the Convention

349. While aware of the measures undertaken to promote widespread awareness of the principles and provisions of the Convention, such as the inclusion of the Convention in school curricula, the Committee is of the opinion that these measures need to be strengthened.

350. **The Committee recommends that the State party strengthen its efforts to disseminate the principles and provisions of the Convention in order to sensitize society about children's rights. Special emphasis should be placed on the dissemination of the Convention among minority groups as well as in rural and remote areas. The Committee encourages the State party to consider seeking technical assistance in this area from UNICEF and OHCHR, among others.**

Training for professionals

351. The Committee welcomes the State party's efforts, in cooperation with OHCHR and UNICEF, providing training for professionals working with and for children. Nevertheless, the Committee is of the opinion that current programmes need to be developed further in order to reach all groups of professionals.

352. **The Committee encourages the State party to continue to undertake systematic education and training programmes on the provisions of the Convention for all professional groups working for and with children, in particular parliamentarians, judges, lawyers, law enforcement officials, civil servants, municipal workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers. Technical assistance from OHCHR and UNICEF, among others, could continue to be requested in this regard.**

2. Definition of the child

353. The Committee is concerned at the lack of a clear legal definition of the child in the State party's legislation. In particular, concern is expressed at the lack of minimum legal ages of sexual consent and of criminal responsibility.

354. **In light of the principles and provisions of the Convention, the Committee recommends that the State party include in its legislation a definition of the child. The Committee further recommends that the State party take into consideration, in the process of drafting its new legislation, the incorporation of minimum ages of criminal responsibility and sexual consent. Furthermore, the Committee recommends that the State party enforce the law on minimum age for marriage.**

3. General principles

355. The Committee is concerned that the measures adopted to incorporate the general principles of the Convention in the State party's domestic legislation are insufficient.

356. **The Committee recommends that the general principles of the Convention (i.e. non-discrimination (art. 2), the best interests of the child (art. 3), the right to life, survival and development (art. 6) and respect for the views of the child (art. 12)) be included in all relevant legislation affecting children and taken into account in all administrative and judicial decisions, as well as in all policies and programmes related to children. Awareness-raising among the public at large, including community and religious leaders, as well as educational programmes on the implementation of these principles should be reinforced in order to change traditional perceptions regarding children as objects and not as subjects of rights.**

Non-discrimination

357. With regard to article 2 of the Convention, the Committee expresses its concern at the existing patterns of discrimination on the grounds of gender, ethnic origin, HIV/AIDS status and disability. In particular, concern is expressed that the State party's Constitution refers only to the rights of Khmer citizens.

358. **The Committee recommends that the State party ensure that all the rights enshrined in the Convention are enjoyed by all children, without any distinction. The Committee further recommends that the State party take effective measures to eliminate discrimination against girls, in particular with regard to their access to education. Efforts need to be made to eliminate discrimination against children living and/or working on the streets and children belonging to minority groups, especially of Vietnamese origin. Furthermore, the Committee endorses the recommendations made to the State party by the Human Rights Committee in 1999 (CCPR/C/79/Add.108, para. 17) and by the Committee on the Elimination of Racial Discrimination in 1998 (CERD/C/304/Add.54, paras. 11-13) in this regard.**

4. Civil rights and freedoms

Birth registration

359. With regard to the implementation of article 7 of the Convention, the Committee expresses its concern that birth registration is not compulsory and consequently not all children are registered at birth.

360. **The Committee recommends that the State party review its domestic legislation in accordance with the principles and provisions of the Convention, with a view to making birth registration compulsory for all children, without any type of discrimination. Children of non-Khmer citizens, regardless of their legal status, or refugees, when born in Cambodia, should always be registered at birth even if they are not entitled to Cambodian nationality. The Committee further recommends that the State party undertake effective measures to enforce the existing sub-decrees related to the Resident Book (No. 73) and the Family Book (No. 74), both of 1997, in particular to ensure that all children who were not registered at birth are registered. In addition, the Committee recommends that the State**

party conduct awareness-raising campaigns to encourage the registration of all children at birth. The Committee encourages the State party to consider seeking international cooperation from UNICEF and other international organizations to this end.

Nationality

361. The Committee is concerned that the State party's Law on Nationality (1996) might lead to discrimination against children of non-Khmer origin and might, in violation of article 7 of the Convention, leave as stateless a large number of children born in Cambodia, such as children belonging to minority groups.

362. **The Committee recommends that the State party's Law on Nationality be reviewed in the light of the Convention with a view to eliminating all grounds of possible discrimination and eradicating and preventing children being stateless.**

Participatory rights of children

363. With regard to children's participatory rights, concern is expressed at the insufficiency of the measures undertaken by the State party to promote the participation of children in the family, the community, the schools and other social institutions, as well as to ensure the effective enjoyment of their fundamental freedoms, including freedom of opinion, expression and association.

364. In light of articles 12-17 of the Convention, the Committee recommends that further measures, including legislation reform, be undertaken to promote the participation of children in the family, the school and other institutions, as well as to ensure the effective enjoyment of their fundamental freedoms, including the freedoms of opinion, expression and association. Public awareness of the participatory rights of children needs to be increased in families, communities, institutions and schools.

Access to appropriate information

365. The Committee is concerned at the lack of legislation to protect children from harmful information and material injurious to their well-being and development, as well as to guarantee their access to appropriate information.

366. **In light of article 17 of the Convention, the Committee recommends that the State party enact special legislation to protect children from harmful information, in particular from television programmes and films containing brutal violence and pornography, and to guarantee their access to appropriate information. The Committee further recommends that the State party take into consideration the Committee's recommendations during its day of general discussion (1996) on the child and the media (CRC/C/57).**

5. Family environment and alternative care

Children deprived of their family environment

367. The Committee is concerned that children tend to be placed in child welfare centres or children's homes rather than in foster care or adopted; at the lack of regulations for the operation of such centres; and at the increasing number of orphans owing to the HIV/AIDS epidemic and the limited measures available to cope with this situation.

368. The Committee recommends that the State party undertake effective measures to promote, through counselling and community-based programmes, the family as the best environment for the child and to empower parents to take care of their children in order to avoid placement in child welfare centres.

369. **The Committee recommends that the State party develop policies and regulations regarding children's institutions and other forms of alternative care. Social services need to be strengthened and expanded to cover a larger number of children, in particular children orphaned by the HIV/AIDS epidemic, and alternative forms of care, such as foster families, need to be developed. The Committee further recommends that sufficient financial and human resources be allocated for these purposes. International technical and financial assistance in this regard is also recommended.**

Adoption

370. While noting the State party's efforts in drafting a new intercountry adoption law that accords with the Convention and the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993, the Committee remains concerned that the existing legislation on domestic adoption is not in accordance with the Convention and that existing adoption procedures are usually not respected and are reported to be marked by corruption and abuse. Concern is also expressed at the prevalence of illegal informal adoption.

371. **The Committee encourages the State party to continue with the process of enacting its legislation on intercountry adoption and to undertake legislative reform of the existing legislation on domestic adoption. In this regard, the Committee takes note of the State party's willingness to consider accession to the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993 and encourages it to do so. Furthermore, the Committee recommends that the State party strengthen the adoption bureau. International assistance could be sought from UNICEF, among others, in that regard.**

Child abuse and ill-treatment

372. Concern is expressed at the insufficient awareness of the scope and harmful consequences of mistreatment and abuse of children, including sexual abuse, both within and outside the family; the insufficient resources, both financial and human, to prevent and combat child abuse; and the insufficient care and rehabilitation measures, including facilities available for child victims of abuse.

373. **In light of articles 19 and 39 of the Convention, among others, the Committee recommends that the State party take effective measures, including setting up multidisciplinary programmes and care and rehabilitation measures, to prevent and combat child abuse and ill-treatment of children within the family, at school and other institutions, and in society at large. It suggests, inter alia, that law enforcement should be strengthened with respect to such crimes; adequate child-friendly procedures and mechanisms to deal with complaints of child abuse should be reinforced in order to provide children with prompt access to justice and to avoid impunity for the offenders. Furthermore, educational programmes should be established to combat traditional attitudes within society regarding this issue. The Committee encourages the State party to consider seeking international cooperation from UNICEF and international non-governmental organizations to this effect.**

6. Basic health and welfare

Right to survival and development

374. The Committee welcomes the international cooperation initiative "Strengthening Health Systems" between the Ministry of Health and several United Nations agencies (WHO, UNICEF, UNDP and UNFPA), which aims at rebuilding the Government's capacity in the development of a national programme for immunization, in particular against polio. Nevertheless, concern is expressed that the State party's infant mortality and under-five mortality rates remain among the highest in the region. Child malnutrition is also an area of concern.

375. **The Committee recommends that the State party address the issue of childhood morbidity and mortality by taking a multisectoral approach recognizing the critical role of illiteracy, lack of clean water supplies and food insecurity in the current pattern of childhood illnesses. Priority areas must be identified on the basis of baseline data collected by careful and comprehensive research. Such a strategy must take into account that most health care takes place outside health facilities and outside State control. It must also recognize the needs of particularly isolated communities. In addition, the Committee recommends that measures be put in place for establishing an efficient primary health care sector, including strategies to encourage care-seeking for childhood illnesses. In this regard, the Committee encourages the State party to continue working in cooperation with international agencies.**

Children affected or infected by HIV/AIDS

376. While aware of the measures taken by the State party for the prevention of HIV/AIDS and the care of infected persons, the Committee expresses its deep concern that the State party has the fastest growing rate of HIV/AIDS infection in the region and that children are among the most affected groups, in particular due to mother-to-child transmission.

377. **The Committee recommends that the State party continue to take effective measures for the prevention of HIV/AIDS, including awareness-raising and educational campaigns. The Committee further recommends that the State party take into consideration the Committee's recommendations adopted on its day of general discussion**

on children living in a world with HIV/AIDS (CRC/C/80). International technical assistance from UNICEF, WHO and UNAIDS, among others, should continue to be requested in this regard.

Children with disabilities

378. The Committee expresses its deep concern that as a result of the prolonged armed conflict, the State party has one of the highest levels of disability in the world. In this regard, the Committee notes that most services for children with disabilities are provided by NGOs, which need substantial resources to maintain the current high standards of care and rehabilitation services.

379. **In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted on its day of general discussion on children with disabilities (CRC/C/69), the Committee recommends that the State party work in close collaboration with and support the activities of NGOs working in this field in order to develop early identification programmes to prevent disabilities; implement alternative measures to the institutionalization of children with disabilities; plan and carry out awareness-raising campaigns to reduce discrimination; establish special education programmes and centres and encourage the inclusion of disabled children in the educational system and in society; and establish adequate monitoring of private institutions for children with disabilities. The Committee further recommends to the State party to seek technical cooperation for the training of professional staff working with and for children with disabilities.**

Right to health and health services

380. Concern is expressed at children's limited access to health services, due notably to the shortage of medical and public health personnel and the insufficient number of primary health centres, in particular in rural areas. Concern is also expressed at the high cost of health care and medicines, which lead families into debt and greater poverty.

381. **The Committee recommends that health-care services and medicines be improved and extended in order to guarantee the access of children belonging to poor families and other marginalized groups.**

Adolescent health

382. The Committee expresses its concern at the high maternal mortality rate, the limited access by teenagers to reproductive and sexual health education and counselling services, including outside the school system, and the low level of contraceptive use. Concern is also expressed that insufficient attention has been given to issues of adolescents' mental health.

383. **The Committee recommends that the State party undertake a comprehensive and multidisciplinary study to determine the scope of adolescent health problems, including mental health, as a basis for promoting adolescent health policies and strengthening**

reproductive health education. The Committee also recommends that further efforts be undertaken for the development of child-friendly counselling services as well as care and rehabilitation facilities for adolescents.

7. Education, leisure and cultural activities

384. While welcoming the current efforts being carried out by the State party, in cooperation with international agencies, to improve its educational system, the Committee expresses its concern at the fact that primary education is not compulsory; that although enrolment rates in primary school are relatively high, equal access to quality education is not ensured owing to a lack of schools in rural and remote areas; that there are gender disparities in school attendance; that there are high repetition and drop-out rates; and that a majority of children belonging to minority groups do not have access to any form of education.

385. **The Committee recommends that the State party continue to undertake effective measures to make primary education free and compulsory for all children; to increase the enrolment rates and decrease drop-out and repetition rates; to increase access to schools, in particular for poor children, girls, children belonging to minority groups and children living in remote areas. The Committee further recommends that the State party continue to take measures to improve its education system by increasing budget allocations for the education sector; providing training to upgrade teachers' skills; making the school curricula more relevant to children's needs; expanding opportunities for vocational training and non-formal education, including at pre-school and secondary levels; and establishing an evaluation system to measure the effectiveness of the education system.**

8. Special protection measures

Refugee children

386. Concern is expressed at the lack of a legal framework for the protection of unaccompanied, asylum-seeking and refugee children.

387. **The Committee recommends that the State party take the necessary measures to introduce legislation for the protection of the rights of refugee children, in line with the relevant international standards, and to develop a family reunification procedure to assist refugee children who might be separated from their families. Technical assistance from UNHCR could be sought in this regard.**

Children affected by armed conflict

388. While welcoming the enactment of legislation prohibiting the military recruitment of children under 18 years and the State party's willingness to demobilize the remaining under-age soldiers in the army, the Committee expresses its concern at the insufficient measures for social reintegration and physical rehabilitation of former child soldiers. Concern is also expressed at the high number of landmines planted in the State party's territory during the recent armed conflict which represent a threat to the lives of children.

389. **The Committee recommends that the State party take effective measures for the identification, demobilization and psychological rehabilitation and reintegration in society of child soldiers and to undertake awareness-raising campaigns for army officials to prevent the further recruitment of child soldiers. The Committee further recommends that the State party continue to work in cooperation with UNICEF for the rehabilitation and reintegration of under-age soldiers.**

390. **With regard to the problems of landmines, the Committee recommends that the State party increase budget allocations for demining in post-conflict areas and that awareness-raising campaigns be conducted to prevent mine-related accidents. Furthermore, the Committee recommends that the State party continue to work in cooperation with international agencies for the elimination of landmines.**

Economic exploitation

391. The Committee is concerned about the large number of working children, including in the informal sector, in agriculture and in the family context. Concern is also expressed at the inefficient enforcement of existing labour laws.

392. **The Committee recommends that the State party enforce the provisions of the Labour Law regarding the minimum age for access to employment; that labour inspectors be trained and provided with the means to monitor child labour; and that appropriate sanctions be applied to violators. The Committee further recommends that the State party enact legislation protecting children from hazardous forms of labour. The Committee acknowledges that the State party is considering ratification of the new ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999, and encourages it to do so.**

Sexual exploitation and trafficking

393. While welcoming the enactment of special legislation to combat sexual exploitation and the adoption of a five-year Plan of Action against Sexual Exploitation of Children (2000-2004) and other related measures in this area, the Committee expresses its concern at the widespread phenomena of child prostitution and the sale and trafficking of children; the inadequate enforcement of the new legislation on these issues; and the shortage of trained people and institutions to provide rehabilitation to the victims.

394. **The Committee recommends that the State party review its legislation with a view to reinforcing it, and in the meantime to enforce fully its current legislation against sexual exploitation; that the Plan of Action be fully implemented; that sufficient resources, both human and financial, be allocated for the implementation of the Plan; that social services for the rehabilitation of child victims of sexual exploitation be strengthened and expanded; that violators be prosecuted; and that bilateral cooperation, specially with neighbouring countries, be strengthened and border controls increased. The Committee suggests that the State party seek further technical assistance from OHCHR and UNICEF, among others.**

Administration of juvenile justice

395. With regard to the situation of children in conflict with the law, concern is expressed at the lack of special legislation, policies and programmes in this area; at reports of children detained in prisons with adults; the situation of children detained for extended periods without being charged and without access to a lawyer or to a court; and the reports of detained children allegedly being subjected to beatings and other ill-treatment.

396. **The Committee recommends that the State party establish a juvenile justice system, taking into account the principles and provisions of the Convention, in particular articles 37, 40 and 39, and other relevant United Nations standards in this field, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. The Committee further recommends that the State party develop a comprehensive policy and programmes regarding the situation of children in conflict with the law, with particular attention to the situation of children deprived of their liberty and to the prevention of juvenile delinquency. Furthermore, the Committee recommends to the State party to consider seeking technical assistance from OHCHR, the Centre for International Crime Prevention, UNICEF and the International Network on Juvenile Justice through the Coordination Panel on Juvenile Justice, among others.**

9. Dissemination of reports

397. **Finally, in light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention, its implementation and monitoring within the Government, the Parliament and the general public, including concerned NGOs.**

Concluding observations of the Committee on the Rights of the Child

MALTA

398. The Committee considered the initial report of Malta (CRC/C/3/Add.56), submitted on 26 December 1997, at its 633rd and 634th meetings (see CRC/C/SR.633-634), held on 26 May 2000, and adopted the following concluding observations.

A. Introduction

399. The Committee welcomes the submission of the State party's initial report, which follows the guidelines for reporting as well as the detailed and informative written answers to the list of issues (CRC/C/Q/MALT.1). The Committee is encouraged by the fruitful and constructive dialogue it had with the State party's delegation and welcomes the positive reactions to the suggestions and recommendations made during the discussion. The Committee regrets that the

head of the State party's delegation was not a government official. Nevertheless, the Committee appreciated the delegation's high level of expertise on children's rights, which enabled the Committee to assess fully the situation of the rights of the child in the State party.

B. Positive aspects

400. The Committee welcomes Malta becoming party to the main human rights international instruments as well as to the European Convention on Recognition and Enforcement of Decisions concerning Custody and on Restoration of Custody of Children (1999), the European Convention on the Exercise of Children's Rights (1999), and the Council of Europe Framework Convention for the Protection of National Minorities (1998).

401. The State party's accession to the ILO Convention concerning Minimum Age for Admission to Employment (No. 138) is welcomed by the Committee.

402. The Committee welcomes the translation of the Convention into Maltese.

C. Principal areas of concern and recommendations

1. General measures of implementation

Reservation to the Convention

403. The Committee notes that the reservation to article 26 of the Convention entered by the State party upon ratification of this international instrument may have an adverse effect on the existing levels of social services and benefits for children.

404. **In light of the 1993 Vienna Declaration and its Programme of Action, the Committee recommends that the State party review the reservation made to article 26 of the Convention with a view to withdrawing it.**

Legislation and status of the Convention

405. While noting that a draft bill, entitled "The Children Act", is being considered by Parliament and that this bill will consolidate into one law all existing provisions relating to children's rights, the Committee expresses its concern at the fact that the Convention has not yet been fully incorporated into the legislation. The Committee is also concerned over the status of the Convention within the legal system of the State party, specially concerning the resolution of conflicts between the Convention and the State party's legislation.

406. **The Committee recommends that the State party continue taking effective measures to incorporate all the principles and provisions of the Convention into its domestic legislation and encourages the State party to expedite the enactment of a consolidated law on children's rights.**

Coordination and monitoring

407. Although the Committee is aware of the State party's initiatives to review the role of the Social and Family Welfare Department, which is the governmental institution in charge of coordinating and monitoring the implementation of the Convention, it is concerned about its limitations in performing its mandate effectively. In this regard, the Committee also notes with appreciation that the State party is giving consideration to the establishment of an Ombudsperson for Children to strengthen the monitoring of the implementation of the Convention.

408. **The Committee recommends that the State party continue with its process of reform with a view to strengthening coordination of the implementation of the Convention. The Committee further recommends that the State party take effective measures to guarantee broader levels of representation by all actors involved in the implementation of the Convention in the existing coordination mechanism.**

409. **The Committee encourages the State party to establish an independent mechanism (e.g. an Ombudsperson for Children) to strengthen the monitoring of the implementation of the Convention. The Committee suggests that this mechanism be made easily accessible to children and that it deal with complaints of violations of their rights in a child-friendly manner and provide effective remedies for such violations. The Committee further suggests that the State party conduct awareness-raising campaigns to facilitate the effective use by children of the mechanism.**

Data collection

410. While aware that the State party's report and the responses to the list of issues include statistics on the situation of children's rights, the Committee remains concerned at the limited coordination in the collection of data for all areas covered by the Convention.

411. **The Committee recommends that the State party continue updating its data collection system with a view to including all areas covered by the Convention. Such a system should include all children under 18 years of age and specifically emphasize vulnerable groups of children (i.e. children with disabilities, children born out of wedlock, refugee children and children belonging to minority groups) as a basis for assessing progress achieved in the realization of children's rights and to help design policies for better implementation of the provisions of the Convention.**

Budget allocations

412. The Committee takes note of the State party's child-oriented policy, entitled "A Caring Society in a Changing World", which is currently being discussed. Nevertheless, it expresses its concern at the fact that there is still no comprehensive national policy for the implementation of children's rights in accordance to article 4 of the Convention.

413. **The Committee recommends that the State party give priority to the full implementation of article 4 of the Convention and ensure the appropriate distribution of resources. Budget allocations for the implementation of the economic, social and cultural**

rights of children should be ensured "to the maximum extent of available [...] resources" (art. 4). The Committee also recommends that the State party take effective measures for the full implementation of a national policy on the rights of the child, with due regard to the holistic nature of the Convention.

Dissemination of the Convention

414. While aware of the measures taken to promote awareness of the principles and provisions of the Convention, the Committee expresses its concern about the limited nature of these measures.

415. **The Committee recommends that the State party strengthen its efforts to disseminate the principles and provisions of the Convention as a measure to sensitize society about children's rights. In this regard, the Committee encourages the State party to continue with its plans to publish a child-friendly version of the Convention. Awareness-raising among the public at large as well as educational programmes on the implementation of the principles and provisions of the Convention should also be reinforced.**

Training for professionals

416. Although it is noted that the Convention is made known in law schools, the Committee expresses its concern at the lack of training activities for professional groups working with and for children.

417. **The Committee recommends that the State party undertake systematic education and training programmes on the provisions of the Convention for all professional groups working for and with children, such as judges, lawyers, law enforcement officials, civil servants, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers.**

2. Definition of the child

418. The Committee acknowledges that the State party is reviewing its legislation to include a minimum legal age for medical counselling without parental consent. Nevertheless, concern is expressed that at present the minimum legal age for such counselling is set at 18 years. Concern is also expressed that the minimum legal age for criminal responsibility, set at 9 years, is too low.

419. **The Committee recommends that the State party review its domestic legislation regarding the minimum legal ages for criminal responsibility and for access to medical counselling without parental consent to bring them in accordance to the principles and provisions of the Convention, especially the best interests of the child.**

3. General principles

Non-discrimination

420. Although the Committee takes note that the draft Children Act will eliminate the use of discriminatory terms in the State party's legislation, concern is nevertheless expressed at the use of the terms "illegitimate child" or "natural child", especially with regard to the succession rights of such children. Concern is also expressed at the alleged reports that expressions with racial connotations have been used by the State party's officials to refer to children belonging to immigrant families in an irregular situation.

421. **The Committee recommends that the State party continue reviewing its domestic legislation with a view to eliminating the use of the terms "illegitimate child" and "natural child". The Committee also recommends that the State party take effective measures to combat and prevent acts of racial discrimination against children belonging to immigrant families.**

Best interests of the child

422. While the Committee is aware that some measures have been adopted to incorporate the principle of best interests of the child, the Committee is of the opinion that these principles are not sufficiently taken into account, especially within the family, the school, in care institutions and in the justice system.

423. **The Committee recommends that the principle of the best interests of the child be included in all relevant legislation affecting children and taken into account in all administrative and judicial decisions, as well as in all policies and programmes related to children.**

4. Civil Rights and freedoms

Participatory rights of children

424. With regard to children's participatory rights, concern is expressed about the insufficient measures taken by the State party, especially to promote the participation of children in the family, in the community, at schools and other social institutions, and to ensure the effective enjoyment of their fundamental freedoms.

425. **In light of articles 12-17 of the Convention, the Committee recommends that further measures be taken to promote the participation of children in the family at school and other institutions, and the effective enjoyment of their fundamental freedoms, including the freedoms of opinion, expression, and association. Public awareness of the participatory rights of children needs to be increased in families, communities, institutions and schools.**

Ill-treatment

426. While the Committee takes note that the use of corporal punishment in schools has been prohibited and that the draft Children Act includes a prohibition on physical punishment, it remains concerned that corporal punishment and "reasonable chastisement" in the home is not legally banned.

427. **The Committee recommends that the State party take all effective measures, including legal ones, to include an explicit prohibition on the use of corporal punishment in the home; to ensure that this prohibition is adequately monitored and enforced, both at home and in the schools; and to promote positive, non-violent forms of discipline as an alternative to corporal punishment in the home.**

5. Family environment and alternative care

Alternative care measures

428. Although the Committee notes that the draft Children Act includes reforms to strengthen the current procedures governing adoption and foster care, it expresses its concern about the lack of compatibility of the existing procedures for intercountry adoption with the principles and provisions of the Convention. Concern is also expressed about children's long stay in residential care (children's institutions) and about the limited alternative care measures for children deprived of a family environment.

429. **The Committee takes note that the State party is considering accession to the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993 and encourages the State party in this regard. The Committee recommends that the State party bring its legislation on domestic and intercountry adoption in to line with the principles and provisions of the Convention. Furthermore, the Committee recommends that the State party continue with its plans to develop and promote alternative care measures for children deprived of a family environment (e.g. adoption and foster care).**

Child abuse and neglect

430. While the Committee takes note of the measures taken to investigate and protect children from abuse, such as the establishment of a telephone helpline for children, it expresses its concern at the limited information available to determine the scope of child abuse; at the limited measures available for the rehabilitation of child victims of abuse; and at the insufficient awareness within society regarding the harmful consequences of ill-treatment and abuse, including sexual abuse of children, both within and outside the family.

431. **In light of, inter alia, articles 19 and 39 of the Convention, the Committee recommends that the State party take effective measures, including the establishment of multidisciplinary programmes and rehabilitation measures, to prevent and combat child abuse and ill-treatment of children within the family, at school and in society at large. It suggests, inter alia, that law enforcement should be strengthened with respect to such**

crimes; that adequate child-friendly procedures and mechanisms to deal with complaints of child abuse should be reinforced in order to provide children with prompt access to justice and investigative procedures to avoid their double victimization; and that perpetrators of such crimes should be brought to justice. Furthermore, educational programmes should be established to combat traditional attitudes within society regarding this issue.

6 Basic health and welfare

432 Concern is expressed at the State party's low breastfeeding rate and at the high rate of child obesity.

433 **The Committee recommends that the State party take effective measures to increase and promote the use of breastfeeding practices and to continue and strengthen its special programmes to address the issue of child obesity and promote a healthy lifestyle among children.**

Children with disabilities

434 While the Committee is aware that the State party has established a National Policy on Special Education for children with disabilities, it expresses its concern about the fact that there is a considerable social stigma attached to this group of children and that this situation represents a barrier to their social integration. Concern is also expressed about the limitations faced by voluntary organizations in addressing in a comprehensive manner all the needs of children with disabilities.

435 **In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted on its day of general discussion on children with disabilities (CRC/C/69), the Committee recommends that the State party implement alternative measures to the institutionalization of children with disabilities; envisage awareness-raising campaigns to eliminate discrimination against them; establish special education programmes and encourage the inclusion and social reintegration of disabled children in the educational system and into society; and establish adequate monitoring of private institutions for children with disabilities.**

Adolescent health

436 The Committee expresses its concern at the increasing rate of teenage pregnancy; at the insufficient access by teenagers to reproductive health education and counselling services, including outside school; and at the lack of a structured policy on health education. Concern is also expressed that insufficient attention has been given to issues of adolescents mental health and alcohol consumption, and that there is a shortage of psychologists.

437. **The Committee recommends that the State party take effective measures to develop adolescent-friendly health policies and strengthen reproductive health education and counselling services. The Committee further recommends that the State party strengthen its programmes on adolescent mental health and continue developing effective educational campaigns to discourage alcohol consumption among children.**

7. Education, leisure and cultural activities

438. Although the Committee welcomes the State party's achievements in the field of education, it expresses its concern about issues of illiteracy and absenteeism and bullying in schools.

439. **The Committee recommends that the State party continue strengthening its educational programme with a view to improving its quality and relevance. The Committee further recommends that the State party seek to implement additional measures to encourage children to stay in school, particularly during the period of compulsory education. The Committee further recommends that the State party conduct continuous training programmes for teachers on human rights, including children's rights.**

8. Special protection measures

Refugee children

440. While the Committee takes note that a bill on a Refugees Act is currently being debated in Parliament, concern is expressed at the lack of domestic legislation for the protection of unaccompanied, asylum-seeking and refugee children and on family reunification of refugees, and at the limited access of refugee children to education, health services and housing.

441. **The Committee recommends that the State party enact legislation on asylum procedures and family reunification of refugees; continue undertaking effective measures to provide refugee children with access to education, health services and housing; and establish measures to assist refugee children who are victims of any form of neglect, exploitation or abuse.**

Economic exploitation

442. Although the Committee is aware that child labour is prohibited by law, it remains concerned at reports of under-age employment in family businesses and tourism-related activities during the summer holiday season.

443. **The Committee recommends that the State party fully enforce child labour laws and that labour inspectorates be strengthened and penalties imposed in cases of violation. The Committee encourages the State party to ratify the ILO Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (No. 182).**

Sexual exploitation and abuse

444. The Committee is concerned at the insufficient data and awareness of the phenomenon of commercial sexual exploitation of children in the State party, and at the absence of a comprehensive and integrated approach to preventing and combating this phenomenon.

445. **In light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake a national study on the nature and extent of commercial sexual exploitation of children with a view to designing policies and programmes, including for care and rehabilitation, to prevent and combat this phenomenon. The Committee recommends that the State party take into account the recommendations formulated in the Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children held in Stockholm in 1996.**

Administration of juvenile justice

446. The Committee welcomes the establishment of a special rehabilitation programme for girls in conflict with the law (e.g. Fejda) and its encouraged that a similar programme is being considered for boys. Nevertheless, concern is expressed at the low age of criminal responsibility (9 years), at the assumption, contained in the State party's legislation, that a child aged between 9 and 14 years could act with "mischievous intent", and at the exclusion of children aged between 16 and 18 years from the juvenile justice system.

447. **In light of articles 37, 40 and 39 of the Convention and other relevant international standards such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, the Committee recommends that the State party undertake legislative reform to raise the minimum age of criminal responsibility; to eliminate the assumption that a child aged between 9 and 14 years could act with "mischievous intent"; and to ensure that the juvenile justice system covers all children under the age of 18.**

9. Dissemination of the reports

448. **Finally, in light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention, its implementation and monitoring within the Government, the Parliament and the general public, including concerned NGOs.**

Concluding observations of the Committee on the Rights of the Child

SURINAME

449. The Committee considered the initial report of Suriname (CRC/C/28/Add.11), submitted on 13 February 1998, at its 635th to 636th meetings (see CRC/C/SR.635-636), held on 29 May 2000, and adopted the following concluding observations:

A. Introduction

450. The Committee welcomes the submission of the State party's initial report which followed the established guidelines. The Committee welcomes the written replies to its list of issues (CRC/C/Q/SUR/1) which allowed for a clearer understanding of the situation of children in the State party. The Committee is encouraged by the dialogue it had with the State party and acknowledges that the presence of a delegation involved in the implementation of the Convention allowed for a fuller assessment of the situation of the rights of children in the State party.

B. Positive aspects

451. The Committee notes the State party's efforts through the enactment of legislation to facilitate the implementation of the Convention. In particular, the Committee notes the enactment of new legislation in January 2000 which eliminates discrimination against children born out of wedlock, including with respect to their inheritance rights.

452. The Committee welcomes the establishment of the Steering Committee on Youth (1997) which is mandated to advise the Government on children's issues.

453. The Committee welcomes the National Youth Council which was installed in November 1999. It welcomes the efforts made to involve children at the local level through the hosting of youth congresses in all districts of the country as well as a national youth congress. The Committee also notes with appreciation the commitment of the State party to allocate adequate resources for the effective functioning of the National Youth Institute, the agency through which the National Youth Council operates.

C. Factors and difficulties impeding the implementation of the Convention

454. The Committee acknowledges that the economic and social difficulties facing the State party have had a negative impact on the situation of children and have impeded the full implementation of the Convention. In particular it notes the impact of the structural adjustment programme and the increasing level of unemployment and poverty. The Committee notes the challenges faced by the State party in implementing adequate programmes and services for children living in communities in the interior which are in many instances isolated and very difficult to reach. The Committee further notes that the limited availability of skilled human resources, compounded by the high rate of emigration and the brain drain, also adversely affects the full implementation of the Convention.

D. Principle areas of concern and recommendations

1. General measures of implementation

Legislation

455. The Committee notes that the State party has undertaken a study to determine the consistency of its legislation with the Convention. While the Committee notes the recent efforts by the State party to enact legislation to ensure greater consistency with the Convention, it is concerned that legislation still does not fully reflect the principles and provisions of the Convention. Concern is expressed that the additional draft legislation to facilitate the implementation of the Convention has not yet been adopted by the National Assembly.

456. **The Committee recommends that the State party take all appropriate measures to ensure that its laws conform to the principles and provisions of the Convention. The Committee also encourages the State party to consider the possibility of enacting a comprehensive code for children. The State party is encouraged to take all appropriate measures to adopt, at the earliest opportunity, the additional draft legislation. The Committee recommends that the State party seek technical assistance from OHCHR, among others.**

Coordination

457. The Committee notes with concern that the State party has dissolved the National Commission on the Rights of the Child, established in 1995 to prepare the State party's report, to coordinate and monitor the implementation of the Convention, and to draw up a national plan of action for children. While it is noted that a Steering Committee on Youth has been appointed to advise the Government on issues concerning children, there are concerns that it does not have as wide a mandate as the National Commission had and that it lacks adequate financial and human resources to implement its mandate. The Committee is also concerned that there continues to be no effective mechanism to facilitate the coordination and systematic implementation of the Convention and to monitor the progress achieved in this regard.

458. **The Committee recommends that the State party take all appropriate measures to strengthen coordination, including at the local level and with NGOs, and to monitor progress of the implementation of the Convention through the expansion of an existing governmental mechanism or the establishment of a new one with adequate powers, functions and resources. The Committee recommends that the State party strengthen the Steering Committee on Youth by, inter alia, allocating adequate financial and human resources.**

Data collection

459. The Committee notes the initiatives undertaken by the State party in 1999 to improve data collection, including the implementation of a national women and children survey; the establishment of a Child Indicators Monitoring System coordinated by the Central Bureau for Statistics, which will periodically generate reliable data regarding children; and the

announcement of a census in 2000 after 20 years. The Committee remains concerned, however, at the lack of an adequate data collection mechanism within the State party to permit the systematic and comprehensive collection of desegregated quantitative and qualitative data for all areas covered by the Convention in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

460. **The Committee recommends that the State party intensify its efforts to establish a central registry for data collection and introduce a comprehensive system of data collection incorporating all the areas covered by the Convention. Such a system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including children living in the interior of the country, especially those belonging to Amerindian and Maroon communities; children with disabilities; children living in poverty; children in conflict with the law; children of single-parent families; sexually abused children; and children living and/or working on the streets. In this context, the Committee recommends that the State party seek technical assistance from, the United Nations Population Fund (UNFPA) and UNICEF, among others.**

Independent monitoring structures

461. The Committee expresses concern at the absence of an independent mechanism to register and address complaints from children concerning violations of their rights under the Convention. In this regard, the Committee expresses its regret that the National Institution for Human Rights was terminated and that the proposed Constitutional Court, which was supposed to replace it, was never established.

462. **The Committee recommends that an independent child-friendly mechanism be made accessible to children to deal with complaints of violations of their rights and to provide remedies for such violations. The Committee further suggests that the State party introduce an awareness-raising campaign to facilitate the effective use by children of this mechanism.**

Allocation of budgetary resources

463. While it is noted that the State party supports the 20/20 Initiative which stipulates that 20 per cent of the national budget and international cooperation should be dedicated to children's programmes, the Committee is concerned that in light of article 4 of the Convention, not enough attention has been paid in allocating budgetary resources, at both the national and district levels, in favour of children "to the maximum extent of ... available resources".

464. **In light of articles 2, 3 and 6 of the Convention, the Committee encourages the State party to pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to the implementation of the economic, social and cultural rights of children, to the maximum extent of available resources including, where needed, international cooperation. In allocating resources, the State party should pay particular attention to districts in the interior and seek to end the inequalities in service provision in these parts of the country.**

Dissemination of the Convention

465. While the Committee notes the initiatives by the State party to promote awareness of the principles and provisions of the Convention, it is concerned that professional groups, children, parents, and the public at large are still not sufficiently aware of the Convention and the rights-based approach enshrined therein.

466. **The Committee recommends greater efforts to make the provisions of the Convention widely known and understood by adults and children alike. In this regard, the Committee recommends adequate and systematic training and/or sensitization of professional groups working with and for children such as judges, lawyers, law enforcement personnel, teachers, school administrators, health personnel, including psychologists, social workers and personnel of child-care institutions. The Committee recommends that the State party seek to ensure that the Convention is fully integrated into the curricula at all levels of the educational system. The State party is encouraged to translate the Convention into local languages and to promote its principles through, inter alia, the use of traditional methods of communication. In this regard, the Committee further suggests that the State party seek technical assistance from OHCHR and UNICEF, among others.**

2. Definition of the child

Criminal responsibility

467. The Committee expresses concern regarding the low legal age of criminal responsibility (10 years).

468. **The Committee recommends that the State party raise the legal age of criminal responsibility to a more internationally acceptable age by amending its legislation in this regard.**

Legal minimum age for marriage

469. The Committee expresses concern at the low legal minimum age for marriage of girls - 15 years under the Civil Code and 13 years under the Asian Marriage Act. In this regard, the Committee notes with concern the practice of early and forced marriages which affects mostly girls, particularly those living in the interior. The Committee is also concerned about the low legal minimum age for marriage of boys (15 years) under the Asian Marriage Act. The Committee is further concerned about the disparity between the ages for boys and girls.

470. **The Committee recommends that the State party review its legislation relating to the legal ages for marriage to bring them into conformity with the provisions of the Convention and to eliminate discrimination. It is recommended that the State party take all appropriate measures to raise awareness about the harmful effects of early and forced marriages, particularly on girls.**

Legal age of compulsory education/legal minimum age for employment

471. The Committee notes that education is compulsory for children between the ages of 7 and 12 years and that the legal minimum age for employment is 14 years. The Committee is concerned that insufficient legal and other measures have been taken to protect adequately the rights of children between the ages of 12 and 14 years, who are beyond the age of compulsory education but too young to be legally employed.

472. **The Committee recommends that the State party raise the legal maximum age of compulsory education from 12 to at least 14 years to protect the rights of those children between the ages of 12 and 14 years, who are beyond the age of compulsory education but too young to be legally employed.**

3. General principles

Non-discrimination

473. The Committee notes with concern that the principle of non-discrimination is not adequately respected with regard to certain vulnerable groups of children, including children living in the interior, especially girls; children living in institutions; children with disabilities; children of single-parent families; children living in poor urban communities, especially boys; children in conflict with the law; children living and/or working on the streets; child victims of abuse; and children belonging to indigenous and minority groups. The Committee is particularly concerned about their limited access to adequate health, education and other social services.

474. **The Committee recommends that the State party increase its efforts to ensure the implementation of laws, policies and programmes guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, particularly as it relates to the vulnerable groups.**

Best interests of the child

475. The Committee is concerned that the general principle of the best interests of the child (art. 3) has not been taken fully into account in the State party's legislative, administrative and judicial decisions, as well as in policies and programmes relevant to children.

476. **The Committee recommends that the State party take all appropriate measures to ensure that the general principle of the best interests of the child is appropriately integrated in all legal provisions as well as in judicial and administrative decisions and in projects, programmes and services which have an impact on children.**

Respect for the views of the child

477. While the Committee notes that the views of children over 12 may be heard in cases of adoption and that a bill has been prepared to apply the same rule in cases of custody and visitation after divorce, it is concerned about the limited scope of the bill and that the full

implementation of article 12 of the Convention continues to be limited by traditional practices, culture and attitudes which consider children who express their views and opinions as "impudent" and "impertinent".

478. **The Committee recommends that the State party review and expand the scope of the bill providing for the opinion of children to be heard in custody and visitation rights cases; develop a systematic approach to increasing public awareness of the participatory rights of children; and encourage respect for the views of the child within the family, communities, schools, and in the care, administrative and judicial systems.**

4. Civil rights and freedoms

Birth registration

479. While the Committee notes that the law provides for the registration of children at birth, it is concerned that children, particularly those belonging to communities in the interior of the country, are still not registered.

480. **In light of articles 7 and 8 of the Convention, the Committee recommends that the State party take appropriate measures, including awareness-raising among government officers, community and religious leaders and parents themselves, to ensure that all children are registered at birth.**

Police brutality

481. The Committee is concerned about the incidence of police brutality and the inadequate enforcement of existing legislation to ensure that children are treated with respect for their physical and mental integrity and their inherent dignity.

482. **The Committee recommends that all appropriate measures be taken to implement fully the provisions of articles 37 (a) and 39 of the Convention. In this regard, the Committee further recommends that greater efforts be made to prevent police brutality and ensure that child victims are provided adequate treatment to facilitate their physical and psychological recovery and social reintegration and that perpetrators are sanctioned.**

5. Family environment and alternative care

Protection of children deprived of a family environment

483. The Committee notes that the State party has submitted to the National Assembly a bill regulating all types of child care facilities, but it remains concerned that the State party has not yet established and implemented a code of standards for alternative care institutions for children. The Committee also expresses concern regarding the lack of facilities and services for girls deprived of a family environment; the absence of an independent complaint mechanism for children in alternative care institutions; the inadequate review of their placement in institutions; and the lack of available trained personnel in this field.

484. **The Committee recommends that the State party expedite as much as possible the passing of the bill mentioned in paragraph 30 above and establish a code of standards to ensure adequate care and protection of children deprived of a family environment. It further recommends that the State party provide additional training, including in children's rights, for social and welfare workers; ensure that placements in institutions are periodically reviewed; and establish an independent complaints mechanism for children in alternative care institutions.**

Foster care

485. While the Committee notes that the State party has instituted a foster care programme, it is concerned at the insufficient monitoring and follow-up of placements in the programme and the widespread use of the programme as a "first step" in the intercountry adoption process rather than as a domestic fostering programme. Concern is also expressed at the unregulated nature of the practice of the "kweekjes system" which allows parents facing economic difficulties to give up their children to another family or person who may be in a better financial situation to care for the child.

486. **The Committee recommends that the State party take measures to ensure the effective monitoring and follow-up of placements in the foster care programme; introduce programmes to raise awareness and promote foster care; and take measures to regulate the "kweekjes system" in order to ensure that the best interests of the children concerned are taken into account. Additionally, the Committee encourages the State party to consider the possibility of acceding to the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993.**

Abuse/neglect/maltreatment/violence

487. While the Committee notes that the State party has appointed a committee to review legislation on sexual offences and make recommendations for improvements in this regard, it is concerned about the high and increasing incidence of sexual abuse of children, including within the family. The Committee also expresses concern at the lack of awareness and information on domestic violence, ill-treatment and abuse (sexual, physical and psychological) of children and the insufficient financial and human resources allocated, as well as the lack of adequate programmes to prevent and combat all forms of abuse against children.

488. **In light of article 19, the Committee recommends that the State party undertake studies on domestic violence, ill-treatment and abuse (including sexual abuse within the family) with a view to adopting adequate policy measures and changing traditional attitudes. The Committee recommends that all appropriate measures be taken to introduce mandatory reporting of abuse, including sexual abuse of children. It also recommends that cases of domestic violence, ill-treatment and abuse of children be properly investigated within a child-friendly judicial procedure and sanctions imposed on perpetrators, including treatment, with due regard given to protecting the right to privacy of the child. Measures should also be taken for the physical and psychological recovery**

and social reintegration of victims in accordance with article 39 of the Convention, and to prevent the criminalization and stigmatization of victims. The Committee recommends that the State party seek technical assistance from UNICEF, among others.

Corporal punishment

489. While the Committee notes that corporal punishment is prohibited in schools, it is concerned that it continues to be used in schools, families and care institutions.

490. **The Committee recommends that the State party take legislative measures to prohibit all forms of physical and mental violence, including corporal punishment, within the family, schools and care institutions. The Committee encourages the State party to intensify its public-awareness campaigns to promote positive, non-violent forms of discipline as an alternative to corporal punishment at all levels of society.**

6. Basic health and welfare

Right to health and access to health services

491. The Committee notes with concern the health situation of children, especially those living in the interior. In particular, it notes their limited access to basic health care; the insufficient number of trained medical personnel; the high incidence of malaria; high maternal, child and infant mortality rates, including suicides and accidents; inadequate breastfeeding and weaning practices, high rates of malnutrition, poor sanitation and limited access to safe drinking water, especially in rural areas.

492. **The Committee recommends that the State party allocate appropriate resources and develop comprehensive policies and programmes to improve the health situation of children, especially those living in the interior; facilitate greater access to primary health services; increase the number of trained medical and other health personnel; take steps to reduce the incidence of maternal, child and infant mortality; promote healthier breastfeeding and weaning practices; prevent and combat malnutrition, especially among vulnerable and disadvantaged groups of children; increase access to safe drinking water and sanitation and reduce the incidence of malaria. It is recommended that the State party undertake a study on suicides and accidents involving children with the view to understanding their nature and scope and implementing appropriate preventative policies and measures. Additionally, the Committee encourages the State party to consider technical assistance for the Integrated Management of Childhood Illnesses and other measures for child health improvement from UNICEF and WHO, among others.**

Adolescent health

493. The Committee expresses its concern with respect to the limited availability of programmes and services and the lack of adequate data in the area of adolescent health, including on accidents, violence, suicides, mental health, teenage pregnancy, abortion, HIV/AIDS and STDs.

494. **The Committee recommends that the State party increase its efforts in promoting adolescent health policies and counselling services and in strengthening reproductive health education, including the promotion of contraceptive use by men. The Committee further suggests that a comprehensive multidisciplinary study be undertaken to improve understanding of the scope of adolescent health problems, including the special situation of children infected with, affected by or vulnerable to HIV/AIDS and STDs. Additionally, it is recommended that the State party take further measures, including the allocation of adequate human and financial resources, to increase the number of social workers and psychologists and to develop youth-friendly care, counselling, and rehabilitation facilities for adolescents. The State party is encouraged to reinforce its efforts in implementing the Caribbean Regional Health and Family Life Education Programme for adolescents by, inter alia, allocating adequate financial and human resources. It is further recommended that the State party seek technical assistance from UNICEF and WHO, among others.**

Children with disabilities

495. The Committee expresses its concern at the absence of legal protection and the lack of adequate facilities and services for children with disabilities. While the Committee notes the efforts of the National Advisory Board for the Policy on Persons with Disabilities, in collaboration with the Government, to elaborate relevant policy and legislation to guarantee and facilitate the social integration of persons with disabilities, it is concerned that insufficient efforts have been made to facilitate the inclusion of children with disabilities into the educational system and generally within society.

496. **In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69), it is recommended that the State party reinforce its efforts to develop early identification programmes to prevent disabilities, increase its efforts to implement alternatives to the institutionalization of children with disabilities, establish special education programmes for children with disabilities and further encourage their inclusion in society. Additionally, the Committee recommends that the State party undertake an awareness-raising campaign to sensitize the public about the rights and special needs of children with disabilities as well as children with mental health concerns. The Committee further recommends that the State party seek technical cooperation for the training of professional staff working with and for children with disabilities from WHO, among others.**

Right to an adequate standard of living

497. The Committee notes with concern the increasingly high number of children living in households below the poverty line. The Committee is also concerned about the poor housing situation and living standards of families who fled their homes in the interior during the civil unrest of the 1980s and are currently living in urban squatter communities. Concern is also expressed at the large and increasing number of children living and/or working on the streets.

498. **In accordance with article 27 of the Convention, the Committee recommends that the State party increase its efforts to provide material assistance and support to economically disadvantaged families and guarantee the right of children to an adequate standard of living. The Committee further recommends that the State party establish mechanisms to ensure that children living and/or working on the streets are provided with identity documents, food, clothing and housing. Moreover, the State party should ensure that these children are provided adequate access to health care; rehabilitation services for physical, sexual and substance abuse; services for reconciliation with families; and education, including vocational and life-skills training. The Committee recommends that the State party cooperate and coordinate its efforts with civil society in this regard.**

7. Education, leisure and cultural activities

Right to and aims of education

499. The Committee notes the efforts of the State party within the school environment, including the establishment of a school nutrition programme, the introduction of school transportation in some regions of the country, the implementation of a programme that provides allowances for the rental of books and subsidies for school uniforms and other relevant learning materials for economically disadvantaged children; the establishment of a programme that allows teenage mothers to continue their education; and the decision to host a National Education Congress in December 2000. The Committee remains concerned, however, about the situation of education, particularly in the interior. In this regard, the Committee notes that there is still limited access to education, high drop-out and repetition rates, insufficient numbers of trained teachers actually in the classroom, insufficient schools and classrooms, and a general lack of relevant learning material. The Committee notes with concern that the budgetary allocations for education have been progressively reduced during the past decade. The insufficient efforts made by the State party to incorporate the use of local languages into the educational curriculum is also a matter of concern for the Committee.

500. **The Committee recommends that the State party take all appropriate measures, including the allocation of adequate financial, human and technical resources, to improve the situation of education and ensure that all children enjoy the right to education. It is further recommended that all appropriate measures be taken to increase access to education, especially as regards children living in the interior, and to encourage trained teachers to stay in teaching. The Committee further recommends that the State party seek to implement additional measures to encourage children, especially girls in the interior and boys in urban communities, to stay in school, particularly during the period of compulsory education. The Committee encourages the State party to reinforce its efforts to include the use of traditional languages in the school curricula. The State party is encouraged to follow through with its proposal to host a National Education Congress to improve the overall situation of education in all regions of the country, and in this context, the Congress is strongly encouraged to include the general principles of the Convention, as well as articles 28, 29 and 31, in its discussions and recommendations to the State party. It is recommended that the State party encourage child participation within the school**

environment, including in disciplinary matters. It is recommended that the State party seek to strengthen its educational system through closer cooperation with UNICEF and UNESCO.

8. Special protection measures

Economic exploitation

501. In light of the current economic situation, the increasing number of school drop-outs, and the increasing number of children living and/or working on the streets, the Committee is concerned about the lack of information and adequate data on the situation of child labour and economic exploitation within the State party.

502. **The Committee encourages the State party to introduce monitoring mechanisms to ensure that the labour laws are enforced and to protect children from economic exploitation, particularly in the informal sector. It is further recommended that the State party undertake a comprehensive study to assess the situation of child labour. The Committee encourages the State party to consider ratifying the ILO Minimum Age Convention (No. 138) and the Worst Forms of Child Labour Convention (No. 182).**

Drug abuse

503. The Committee is concerned with the high incidence of drug, alcohol and substance abuse among youth and the limited psychological, social and medical programmes and services available in this regard.

504. **In light of article 33 of the Convention, the Committee recommends that the State party take all appropriate measures, including administrative, social and educational measures, to protect children from the illicit use of alcohol, narcotic drugs and psychotropic substances and to prevent the use of children in the illicit production and trafficking of such substances. It encourages the State party to support rehabilitation programmes dealing with child victims of alcohol, drug and substance abuse. In this regard, the Committee encourages the State party to consider seeking technical assistance from UNICEF, WHO and the United Nations International Narcotics Control Board, among others.**

Sexual exploitation and sexual abuse

505. The Committee expresses its concern about the increasing number of child victims of commercial sexual exploitation, including prostitution and pornography, involving both boys and girls. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of child victims of such abuse and exploitation.

506. **In light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake studies with a view to understanding the scope of the problem and implementing appropriate policies and measures, including the physical and psychological recovery and social reintegration of victims. The Committee**

recommends that the State party take into account the recommendations formulated in the Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children held in Stockholm in 1996.

Administration of juvenile justice

507. The Committee expresses concern at:

(a) The inefficiency and ineffectiveness of the administration of juvenile justice system and in particular its incompatibility with the Convention, as well as other relevant United Nations standards;

(b) The length of pre-trial detention;

(c) The holding of minors in adult detention facilities; the poor conditions in detention facilities; the lack of adequate facilities for children in conflict with the law, especially girls; the limited numbers of trained personnel to work with children in this regard; and the lack of a complaint mechanism for children whose rights have been violated.

508. **The Committee, while noting the completion of a study on juvenile justice, recommends that the State party:**

(a) Take all appropriate measures to implement a juvenile justice system in conformity with the Convention, in particular articles 37, 40 and 39, and other United Nations standards in this field, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty;

(b) Use deprivation of liberty only as a measure of last resort and for the shortest possible period of time; improve the conditions in detention facilities; protect the rights of children deprived of their liberty, including their right to privacy; and ensure that children remain in contact with their families while in the juvenile justice system;

(c) Introduce training programmes on relevant international standards for all professionals involved with the administration of juvenile justice;

(d) Consider seeking technical assistance from OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice in Juvenile Justice, among others.

9. Dissemination of reports

509. **Finally, the Committee recommends that, in light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered,**

along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.

Concluding observations of the Committee on the Rights of the Child

DJIBOUTI

510. The Committee considered the initial report of Djibouti (CRC/C/8/Add.39), submitted on 28 July 1998, at its 637th and 638th meetings, on 30 May 2000, and adopted the following concluding observations.

A. Introduction

511. The Committee notes that the structure of the State party's report follows the Committee's guidelines for the preparation of reports. The Committee regrets, however, that the information provided is general and gives no thorough description of relevant legislation, government policies and existing institutional structures, or of the actual enforcement of laws and problems encountered in that regard. There is a significant lack of statistical information, and no information provided about the preparation of the report. The Committee takes note of the additional information provided in the responses to the list of issues. The Committee appreciates the frank and constructive dialogue with the one-person delegation while regretting that the delegation could not cover all the areas addressed by the Convention.

B. Positive aspects

512. The Committee notes the early ratification of the Convention by the State party, and takes note also of its recent ratification of the Convention on the Elimination of All Forms of Discrimination against Women.

513. The Committee is encouraged by the adoption of several initiatives with regard to children, including the establishment of an inter-sectoral committee under the patronage of the Prime Minister to ensure follow-up to the World Summit for Children and to prepare the report, as well as the proclamation of 20 November as "National Day of the Child".

514. The Committee welcomes the recent amendment to the Penal Code which has, under the provisions of its article 333, set severe sanctions penalizing the practice of female genital mutilation.

C. Factors and difficulties impeding the implementation of the Convention

515. The Committee takes note of the problems which have hampered the implementation of the Convention in the State party, in particular the regional conflicts which have led to a significant influx of refugees, the impact of the civil war which ended in 1994, and the continuing violence in the north of the country which has caused internal displacements.

516. The Committee notes that Djibouti has not ratified most of the international human rights treaties, which impedes the development of a human rights culture that would facilitate the implementation of the human rights of children.

517. Noting the universal values of equality and tolerance inherent in Islam, the Committee observes that the contradictions that can arise between a narrow interpretation of Islamic texts (and traditional law) and the provisions of civil law can sometimes impede the enjoyment of certain human rights protected under the Convention.

D. Principal areas of concern and recommendations

1. General measures of implementation

Declaration upon ratification

518. The Committee is concerned that the broad and imprecise nature of the general declaration made by the State party upon ratification of the Convention, which amounts to a reservation, potentially negates many of the Convention's provisions and raises concerns as to its compatibility with the object and purpose of the Convention. The Committee welcomes indications that the declaration may have been intended primarily to address only the issue of the right of the child to freedom of religion and that efforts will be made to review the situation.

519. **In the light of the Vienna Declaration and Programme of Action, and bearing in mind the provisions of article 27 of the Vienna Convention on the Law of Treaties, the Committee encourages the State party to review the general nature of its declaration to the Convention on the Rights of the Child with a view to its withdrawal.**

Ratification of international human rights instruments

520. While acknowledging the State party's ratification of the Convention on the Elimination of All Forms of Discrimination against Women, the Committee is of the opinion that the ratification of other human rights instruments, and in particular of the International Covenant on Civil and Political Rights and its two Optional Protocols, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, would strengthen the efforts of the State party to meet its obligations in guaranteeing the rights of all children under its jurisdiction.

521. **The Committee encourages the State party to consider the possibility of ratifying the other major international human rights instruments.**

Legislation

522. The Committee is concerned that no systematic review of existing legislation has been undertaken to ensure its compatibility and full conformity with the principles and provisions of

the Convention. It is also concerned about the difficulties experienced in finalizing the adoption of new or amended legislation, including the draft Family Code that was prepared before the ratification of the Convention.

523. **The Committee recommends that the State party take all appropriate measures to complete the process of law review and, where appropriate, adopt or amend legislation so as to ensure the harmonization of applicable provisions of the different jurisdictions (traditional, Islamic and civil law) and their conformity with the provisions and principles of the Convention.**

Coordination/independent monitoring mechanism/structures

524. Taking note of the limited functions assumed by the inter-sectoral committee, the Committee is concerned that no particular governmental coordination or monitoring mechanisms appears to have been set up to ensure the implementation of the provisions of the Convention.

525. **The Committee recommends that steps be taken by the State party to establish a mechanism to coordinate the various government bodies involved in children's rights at both the national and local levels and that greater efforts be made to ensure cooperation with non-governmental organizations working in the field of children's rights. While acknowledging that budgetary constraints may make it difficult to set up complex structures, the Committee encourages the State party to consider the possibility of setting up an independent mechanism to monitor progress made in the implementation of the Convention, including, for example, the establishment of a telephone hotline to encourage children to voice their complaints.**

Data collection

526. The Committee is concerned that data collection in the State party is insufficient to allow the systematic and comprehensive collection of disaggregated quantitative and qualitative data for all areas covered by the Convention in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

527. **The Committee recommends that measures be taken to establish a system to collect statistical and other data in all areas covered by the Convention. Such a system should cover all children up to the age of 18 years, with specific emphasis on the most vulnerable groups, including girls, children with disabilities, child labourers, children from nomadic groups living in rural areas, children living and/or working in the streets, children living in institutions and refugee children. Technical assistance in this area from, UNICEF, among others, is encouraged.**

Budgetary allocations

528. Recognizing that effective implementation of the Convention depends upon the consistent allocation of adequate budgetary resources, the Committee expresses its concern at the lack of information on the current allocation of resources in favour of children, particularly in a context of widespread poverty.

529. **In light of articles 2, 3 and 6 of the Convention, the Committee encourages the State party to pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to ensure implementation of the economic, social and cultural rights of children, to the maximum extent of available resources and, where needed, within the framework of international cooperation. The Committee urges the State party to establish a policy on the allocation of resources in favour of children, including resources allocated by international agencies or bilateral assistance, and to determine how these resources will be used in future, ensuring that priority is given to the alleviation of poverty.**

International cooperation

530. Deeply concerned by the overall situation of children's rights in the State party, the Committee takes note of the resource limitations faced by the State party which constrain its ability to address such a wide array of problems.

531. **The Committee strongly recommends that the State party seek international assistance for the implementation of the principles and provisions of the Convention, bearing in mind the need to strengthen national capacity.**

Dissemination and awareness-raising

532. The Committee acknowledges the efforts of the State party to promote awareness of the principles and provisions of the Convention and takes note of the cooperation between UNICEF and the National Centre for Research and Pedagogical Information in this regard. However, the Committee remains concerned that the text of the Convention has not yet been translated into all national languages, and that professionals working with and for children, parents, children, and the public at large are generally not aware of the Convention and of the human rights it enshrines.

533. **The Committee recommends that the State party develop an ongoing programme for the dissemination of information regarding the Convention among children and parents, civil society and all sectors and levels of government, including through the use of traditional information channels and working through community leaders. The Committee encourages the State party to pursue efforts to promote children's rights education in the country, including initiatives targeting the most vulnerable groups. Moreover, the Committee recommends the reinforcement of adequate and systematic training and/or sensitization of traditional and religious leaders as well as professional groups, including those working with and for children (e.g. judges, lawyers, law enforcement officials, parliamentarians, civil servants, local government officials,**

personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers). The Committee encourages the State party to seek technical assistance from, the Office of the High Commissioner for Human Rights (OHCHR) and UNICEF, among others.

2. Definition of the child

534. The Committee notes that the new draft Family Code will set the legal minimum age for marriage at 18 for both boys and girls. It is concerned that current traditional practice considers 15 years as a suitable age for marriage for girls, while it is 18 for boys, and that the marriage age for girls is too low and is a form of gender discrimination not acceptable under the provisions of article 2 of the Convention.

535. **The Committee recommends that the State party continue its efforts to increase the legal minimum age for marriage and eliminate discrimination against girls in this regard, and that it consider the need for effective public information and sensitization activities to discourage early marriage.**

3. General principles

Non-discrimination

536. The Committee notes that the principle of non-discrimination (art. 2) is reflected in the Constitution of Djibouti as well as in domestic legislation and acknowledges efforts made to promote education for girls. It is still concerned that insufficient measures have been adopted to ensure that all children are treated equally and are guaranteed equal access to education, health and other social services. In this regard, it is extremely concerned about the persistent discriminatory attitudes faced by girls; it is also concerned about the discrimination faced by refugee and asylum-seeking children and about the impact of ethnic discrimination. The Committee is also concerned about the discrimination that appears to be experienced by children born out of wedlock, children with disabilities, children living and/or working on the streets, and children living in rural areas.

537. **The Committee recommends that the State party increase its efforts to ensure implementation of the principle of non-discrimination and full compliance with article 2 of the Convention and address those cases which continue to affect all vulnerable groups, particularly girls, refugee children and those from different ethnic groups. The Committee also urges the State party to give particular attention to addressing discrimination against both girls and women, inter alia by reviewing domestic legislation so as to ensure that discriminatory provisions, including those affecting inheritance rights, are removed and that adequate protection from discrimination is provided.**

Respect for the views of the child

538. The Committee is seriously concerned about the lack of information regarding the implementation in practice of the right of the child to express his or her views and to have them taken into account. It emphasizes the importance of promoting respect for the views of the child and encouraging children's participation.

539. **The Committee encourages the State party to promote public awareness of the participatory rights of children and urges that effective measures be adopted to promote respect for the views of the child within schools, families, social institutions and in the care and judicial systems, in accordance with the provisions of article 12 of the Convention.**

4. Civil rights and freedoms

Birth registration

540. The Committee is concerned that the insufficiently systematic birth registration in the State party prevents an accurate statement of the identity or age of a child, which can make it very difficult for the protection afforded to children by domestic legislation or by the Convention to be enforced. It is concerned in particular about the difficulties experienced in registering the birth of refugee children outside of the refugee camps and about the limited type of birth registration available in the camps.

541. **In light of articles 1 and 7 of the Convention, the Committee recommends that the State party establish as quickly as possible the practice of systematic birth registration for all children born within the national territory, and encourages the State party to consider ratifying the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, and to adopt national legislation that is in conformity with these international instruments. The Committee further urges the State party to proceed with the registration of those children who have not been registered.**

5. Family environment and alternative care

Family environment

542. The Committee is concerned about the impact of gender discrimination on the sharing of parental responsibility by both parents and on the quality of the family environment, as well as about the impact on children of the continuing practice of polygamy. It is also concerned about the lack of detailed information regarding cases of children separated from their parents against their will when necessary for the best interests of the child and respecting the legal guarantees set by the provisions of article 9 of the Convention.

543. **The Committee encourages the State party to review its legislation, programmes and policies so as to promote the equal sharing of parental responsibility, discourage the practice of polygamy, and ensure adequate protection of children from abuse and neglect even when it may involve the need to separate children from their parents against their will.**

Alternative care

544. With respect to the situation of children deprived of a family environment, the Committee expresses its concern about the insufficient number of alternative care facilities and the limited capacity of existing institutions. Concern is also expressed about the fact that refugee children may be denied access to such facilities.

545. **The Committee recommends that the State party make every effort to provide special protection and assistance for children deprived of a family environment, in accordance with the provisions of article 20 of the Convention, including through the development of a foster care system as well as by providing additional places in existing institutions. It further recommends that an appropriate inspection mechanism be established to monitor the placement of children in institutions or in alternative care. The Committee also recommends that the State party increase its efforts to provide support for families and single parents, to discourage the abandonment of children.**

Adoption

546. Taking note of the detailed legal procedures required for adoption under civil law, the Committee remains concerned about the lack of detailed information concerning the procedures and safeguards provided for international adoptions, in particular of very young children abandoned by their parents.

547. **The Committee recommends that every effort be made to ensure that international adoptions are in full conformity with the provisions of article 21 of the Convention. It encourages the State party to consider ratifying the 1993 Hague Convention on Protection of Children and Co-operation in Respect to Intercountry Adoption.**

6. Basic health and welfare

Children with disabilities

548. The Committee expresses concern regarding the lack of legal protection, programmes, facilities and services for children with disabilities aimed at facilitating their development and full integration in society.

549. **In light of article 23 of the Convention, the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted as its day of general discussion on the rights of children with disabilities (CRC/C/69), the Committee recommends that the State party establish special education programmes for children with disabilities and actively seek their inclusion in society. The Committee further recommends that the State party conduct an assessment of the number of children with disabilities, the type of disabilities, and the needs of children with disabilities with regard to rehabilitative and other forms of care. The Committee encourages the State party to seek technical assistance, including for the training of professional staff working with and for children with disabilities, from UNICEF and WHO, among others.**

Right to health

550. While welcoming the adoption of a national plan of action and the State party's commitment to adopt the Integrated Management of Childhood Illnesses (IMCI) strategy, the Committee is concerned at the poor health status of children in Djibouti. It is particularly concerned at the persistently high rates of infant and under-five mortality, maternal mortality, child malnutrition and smoking, and at the insufficient data collection with regard to child health. While welcoming the adoption of baby-friendly hospital initiatives, the Committee is also concerned about the risk of mother-to-child transmission of HIV, given the high rates of HIV infection. The Committee regrets the decline in spending on the health sector and the reduction in vaccination coverage.

551. **The Committee encourages the State party to increase its efforts in the health sector, including through the strengthening of data collection and disease surveillance mechanisms, the allocation of adequate resources and the reinforcement of training and support for health sector staff. It recommends that the State party ensure equitable access to existing health-care services, that it make every effort to increase vaccination coverage, including by ensuring the maintenance of a cold chain, and that it undertake effective collection and recording of data in this respect. The Committee recommends that effective measures be taken to provide information and support to HIV-infected mothers to prevent HIV transmission, in particular by providing safe alternatives to breastfeeding. The Committee recommends that the State party address the social factors preventing vulnerable groups (including women and children) from seeking health care, and that particular efforts be made to reach refugee and displaced children and those living on the streets. The Committee urges the State party to develop effective partnerships with NGOs and civil society groups, and to seek the technical assistance of United Nations agencies such as WHO and UNICEF in this respect.**

Female genital mutilation

552. While welcoming the recognition by the State party of the importance of this problem and the prohibition of the practice in the new Penal Code, the Committee expresses its concern about the widespread practice of female genital mutilation. It acknowledges the efforts made to complement legal reform with activities to raise awareness and sensitize health professionals and the effort made to involve traditional leaders in the effort to change traditional attitudes.

553. **The Committee urges the State party to continue to take effective measures to eradicate this practice, and encourages it to benefit from the experience of other States that have addressed similar issues. The Committee recommends that the adoption of legal and judicial provisions in this area be accompanied by further efforts to engage the community in the process of changing cultural attitudes, including by assisting traditional practitioners to seek alternative employment, and if necessary by ensuring the enforcement of the legal sanctions contemplated by article 333 of the new Penal Code in order to set an example.**

Adolescent health

554. The Committee is concerned about the exposure of older children in the State party, particularly those living on the street or working in port areas and along truck routes, to sexual exploitation and to sexually transmitted diseases, including the risk of HIV infection. The Committee is also concerned that girls married at a young age may not have sufficient access to family planning services and counselling.

555. **The Committee urges the State party to address the sexual and reproductive health-care needs of older children, including those married at a young age and those in vulnerable situations. It recommends that the State party provide access to information about sexual and reproductive health, and that services in this area be user friendly and address the concerns and need for confidentiality of adolescents. The Committee recommends that the State party seek technical assistance from WHO and UNICEF, among others, to develop a comprehensive strategy that can address the needs of young people, and that it encourage civil society and adolescents to participate in the design, implementation and evaluation of such a strategy.**

7. Education, leisure and cultural activities

556. The Committee welcomes the recent efforts of the State party to improve the situation of education in terms of elaborating and carrying out educational programmes, and takes note of efforts made to seek international assistance in this area. However, the Committee remains seriously concerned about the low rates of school enrolment and attendance and the high drop-out and illiteracy rates, as well as about the extent of gender disparities in this respect. It is also concerned about the limited number of trained teachers and school facilities, and further concerned by information indicating that refugee children are denied access to education outside of refugee camps.

557. **The Committee recommends that the State party continue its efforts to promote and facilitate school attendance, particularly among girls and refugee children. In light of article 28 of the Convention, the Committee recommends that the State party take effective measures to ensure that primary education is available to all, to improve the quality of teaching and to reduce drop-out rates. The Committee encourages the State party to seek to strengthen its educational system, if necessary by seeking further international assistance from UNICEF and UNESCO, among others.**

8. Special protection measures

Refugee and asylum-seeking children

558. While acknowledging the challenges faced by the State party as a result of the regional conflicts which repeatedly lead to the arrival of a disproportionate number of asylum-seekers, the Committee is concerned about the problems experienced by refugee children. It is concerned about the absence of national legislation defining the legal basis for asylum or for granting stateless status. It is also concerned about the resulting absence of an appropriate legal

framework for the protection of accompanied and unaccompanied child refugees and asylum-seekers, and about the lack of health and education services for all refugee children, including those living outside the refugee camps.

559. **The Committee urges the State party to make every effort to implement the rights of refugee children, in accordance with article 22 of the Convention and of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. It recommends that the State party adopt national legislation for the determination of refugee status, making suitable provision for the special procedures required for child refugees. In light of the provisions of articles 2, 10, 24 and 28 of the Convention, the Committee further recommends that the State party develop an appropriate legislative and administrative framework to facilitate family reunification and adequate access to all social services and to schools for refugee children outside the camps.**

Children in armed conflict

560. The Committee welcomes the adoption in Paris on 7 February 2000 of an agreement to end the violence in the north of the country. The Committee is concerned that insufficient efforts have been made to introduce adequate programmes to facilitate the rehabilitation of children affected by armed conflict during the civil war and subsequent violence.

561. **The Committee recommends that every effort be made to conclude negotiations and obtain international assistance allowing the launching of activities to demine areas affected by the conflict. It further recommends that the State party take all appropriate measures to introduce programmes to facilitate the physical and psychological recovery and social reintegration of children affected by armed conflict.**

Child labour

562. The Committee is concerned about the apparent increase in the number of children involved in economic activities in the family context as well as on the streets.

563. **The Committee urges the State party to make urgent efforts to monitor and address the use of child labour. It recommends that the State party improve its monitoring mechanisms in order to enforce existing labour laws and protect children from economic exploitation. The Committee encourages the State party to ratify the Worst Forms of Child Labour Convention (No. 182) and the Minimum Age for Admission to Employment Convention (No. 138), and to seek international cooperation, including through the International Programme for the Elimination of Child Labour (IPEC) of the ILO.**

Drug and substance abuse

564. The Committee is concerned about the high and increasing involvement of children in the production, trafficking and consumption of psychotropic drugs (and especially of khat), and about the impact on children of widespread khat consumption in the State party which affects families and the entire society.

565. **In view of articles 33 and 39 of the Convention, the Committee urges the State party to take all appropriate measures to prevent the involvement of children in the production, trafficking and consumption of khat and other psychotropic drugs as well as to provide care and rehabilitation, and to pay particular attention in this regard to vulnerable groups, including children who drop out of school, live on the streets, or work in the port area. The Committee encourages the State party to seek technical assistance from UNICEF and WHO, among others, and to involve children in the design, implementation and evaluation of relevant strategies, and to continue its cooperation with the United Nations Drug Control Programme in this regard.**

Sexual exploitation

566. The Committee is concerned about the high and apparently increasing incidence of prostitution involving children, in particular girls, and about the lack of facilities to provide services to sexually exploited children.

567. **In the light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake studies with a view to designing and implementing appropriate policies and measures, including to promote the physical and psychological recovery and social reintegration of child victims of sexual exploitation, and to preventing and combating the sexual exploitation of children while avoiding the criminalization of child victims. In this regard, the Committee encourages the State party to take into account the recommendations formulated in the Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996.**

Juvenile justice

568. The Committee welcomes the recent release of a number of children who had been detained in the Gabode prison while expressing its concern about the lack of support and assistance which may be faced by those children. The Committee remains concerned about the treatment of children alleged to be in conflict with law and about the lack of available data on the number and situation of children in detention, on the types of offences committed, length of sentences imposed, availability of diversionary and alternative measures, etc. The Committee remains concerned about conditions in places of detention for children, especially with regard to overcrowding and the quality of the health services and educational programmes offered, and in particular about the availability of services to facilitate the detained child's reintegration in society, in accordance with the provisions of article 40 (1) of the Convention.

569. **The Committee recommends that every effort be made to gather information on the number and legal situation of children in detention within the State party and urges the State party to enforce domestic legislation requiring that imprisonment be a measure of last resort, and that children be kept separate from adult detainees. The Committee further recommends that the State party:**

(a) Take additional steps to ensure that the juvenile justice system is in full conformity de facto as well as de jure, with the provisions of the Convention, in particular articles 37, 40 and 39, and of other United Nations standards in this field, such as the

United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty;

(b) Consider seeking technical assistance in this regard from, among others, the member organizations of the Coordination Panel on Technical Advice in Juvenile Justice, including the Office of the High Commissioner for Human Rights, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF.

9. Dissemination of the reports

570. **Finally, the Committee recommends that, in light of article 44, paragraph 6, of the Convention, the initial report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report, along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned NGOs.**

III. OVERVIEW OF OTHER ACTIVITIES OF THE COMMITTEE

A. Review of developments relevant to the work of the Committee

571. During the session, members reported to the Committee about various meetings in which they had participated.

572. From 20 to 24 March 2000, Ms. Ouedraogo participated in a training session for persons working with children in difficult circumstances in Ouagadougou. Ms. Ouedraogo was the facilitator on the Convention on the Rights of the Child for the training. Ms. Ouedraogo also participated in a subregional workshop for the retraining of trainers from West African coalition groups on the rights of the child, held from 27 to 29 March 2000. This workshop, also held in Ouagadougou, was organized by Aide à L'Enfance-Canada and the subregional office of Save the Children and resulted in the creation of a pedagogical committee and the adoption of a Plan of Action for 2000-2002.

573. From 27 to 29 April 2000, Ms. Ouedraogo attended a seminar in Mauritius organised by the International Movement ATD Fourth World, UNICEF and the Government of Mauritius on "Reaching Poorer Children". The seminar was attended by 60 representatives of NGOs from different African countries. The Declaration of Quatre Bonnes which included greater commitment to poorer children, was adopted at the end of the seminar. While in Mauritius, Ms. Ouedraogo also met with national authorities, including the President of the Republic as well as the Ministers for Justice, Social Security, and Women and Children's Affairs. During her discussions, she invited the authorities to consider the early submission of the second

periodic report of Mauritius to the Committee. During the inter-sessional period, Ms. Ouedraogo also participated in the elaboration of a Guide for the Rights of the Child in Burkina Faso.

574. Mr. Rabah attended a conference on juvenile justice held in Oxford, United Kingdom, from 9 to 11 February 2000. The conference was organized by the International Board of the British Council. Mr. Rabah also attended a workshop on child abuse held in Larnaka, Cyprus, (15-17 March 2000).

575. From 20 to 21 March 2000, Mrs. Karp represented the Committee at the second meeting of the Coordination Panel on Technical Advice and Assistance in Juvenile Justice held in New York. Mrs. Karp presented to the Panel the views of the Committee and its most recent work in the area of technical assistance in the field of juvenile justice.

B. Cooperation with United Nations and other competent bodies

576. During the session, the Committee held various meetings with United Nations bodies and specialized agencies, as well as other competent bodies, in the framework of its ongoing dialogue and interaction with these bodies in the light of article 45 of the Convention.

577. At its 623rd meeting, held on 19 May, the Committee held a meeting with United Nations agencies and other partners to discuss their cooperation in the promotion and implementation of the Convention on the Rights of the Child.

578. The representative of UNICEF provided an update on the preparations for the Special Session of the General Assembly for follow-up to the World Summit for Children, scheduled for September 2001, including the first substantive Preparatory Committee meeting (30 May-2 June 2000). The UNICEF representative also informed the Committee about "The Global Partnership for Children" recently launched by Nelson Mandela and Graça Machel. The Partnership is expected to mobilize the broadest spectrum of leaders, including from Government, the private sector and civil society, and adolescents and children themselves to work together to bring about the fundamental changes necessary to make health, education and well-being a reality for all children. The Partnership will address four challenges: how to ensure the rights of children affected by armed conflict; prevent the spread of diseases, especially HIV/AIDS; end discrimination, particularly on the basis of gender; and eradicate poverty. The Committee was also informed about a conference of West African ministers, held in Lomé, from 3 to 5 May 2000, on the protection of women and children. The regional conference, which was attended by Ministers for Women and Children's Affairs, Planning and Justice, focused on the harmonization of law; trafficking in women and children; national structures to coordinate women's and children's rights; and the promotion of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. The representative recalled the recent announcement made jointly by the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, the Department of Peacekeeping Operations and UNICEF concerning the deployment of Child Protection Advisers (CPAs) to United Nations peacekeeping operations. She noted that the role of the CPAs is to advise the peacekeeping operations and coordinate with relevant United Nations agencies, NGOs and national authorities to ensure that children's issues are incorporated fully into all relevant peacekeeping and peace-building policies and programmes. Additionally, they are to ensure that

all personnel involved in peacekeeping operations receive appropriate training on the protection of children's rights. The first CPAs have already been appointed to serve in Sierra Leone and the Democratic Republic of the Congo.

579. A representative of UNESCO provided an overview of the recent World Education Forum, held in Dakar, from 26 to 28 April 2000, noting that it was the culminating event of the decade of "Education For All" (EFA) initiated in 1990. The Forum, also referred to as the EFA Assessment 2000, was the largest evaluation ever undertaken in the field of education and included some 1,500 participants representing Government as well as civil society. The assessment was a bottom-up exercise involving consultations with and the participation of national, regional and international partners. The Assessment noted mixed results: while some countries had achieved remarkable progress, others faced considerable problems of educational quality and growing disparities within and between education systems. The Dakar Framework for Action represented the collective commitment of the participants to achieve education for all by 2015. It was further noted that UNESCO had recently launched an initiative entitled "Innocence in Danger" which aimed to ensure adequate follow-up to the Action Plan to combat child pornography on the Internet by supporting the work of specialists and NGOs in this field. The initiative also seeks to develop ways to communicate with children about this very difficult issue.

580. The representative of the NGO Group for the Convention on the Rights of the Child recalled at the Group's liaison unit had consistently supported the work of the Committee, particularly during its pre-sessional working group meetings. Highlighting the efforts made by the NGO Group to expand its network at the national level, the representative stated that contact had been established with some 110 organizations in over 100 countries. It was noted that the NGO Group had introduced material on the Child Rights Information Network (CRIN) Web site to assist NGOs in their work. The Committee was informed that a new NGO Guide is currently being developed to help NGOs set up networks and maintain them; to assist NGOs in promoting children's rights and child participation; to show them how to influence legislation; and to demonstrate how to make more effective use of the reporting process, including follow-up to the implementation of the concluding observations of the Committee. The Guide was expected to be completed by September 2000.

581. A representative of the Office of the High Commissioner for Human Rights (OHCHR) described the activities planned for July 2000 on the issue of indigenous children and youth in which the Committee had been invited to participate. A three-day NGO Workshop on Indigenous Children and Youth would be held, in cooperation with the Child Rights International Research Institute, from 19 to 21 July. Additionally, the United Nations Working Group on Indigenous Populations would dedicate an entire day, 25 July, to a discussion on the human rights of indigenous children and youth.

582. The International Monetary Fund (IMF) representative stated that while the work of IMF was not specifically "child focused", it enhanced the situation of children and led to a greater implementation of children's rights. In this context, he noted that the IMF's Enhanced Structural Adjustment Facility (ESAF) had been set up 10 years previously to help the world's poorer countries achieve better rates of economic growth. While ESAF had helped a number of countries to advance their social indicators and to achieve significant growth, more efforts were

needed to achieve faster growth and broader-based poverty reduction in the world's poorest countries. To this end, policies needed to be aimed directly at the poor and the expansion of their economic opportunities including through the provision of better health, education and rural infrastructure. The IMF's commitment in this regard had recently led to the replacement of the ESFA by the Poverty Reduction and Growth Facility (PRGF). The main aim of this new approach was to get Governments to take the lead in poverty reduction and to encourage the full participation of civil society as well as the general population.

583. The representative of ILO indicated that there were already 15 ratifications of the Worst Forms of Child Labour Convention (No. 182). She reiterated the ILO's appreciation for the Committee's frequent recommendations to States parties to the Convention on the Rights of the Child to ratify ILO Convention No.138 and, more recently, Convention No. 182. Approximately half (89) of the ILO member States had ratified ILO Convention No. 138.

584. The ILO representative provided a brief update of the International Programme on the Elimination of Child Labour (IPEC), noting that it had been established in approximately 90 countries. The ILO had recently launched a joint project on child labour statistics and research with the World Bank and UNICEF and had collaborated with the World Health Organization (WHO) in an effort to, inter alia, identify other forms of "hazardous work".

585. The representative of WHO mentioned the introduction of training programmes and workshops for WHO staff on health and children's rights. She referred to the strategy being developed by WHO on health and human rights, including children's rights, to help the organization integrate human rights norms into its public health programmes. To this end, a broader interpretation of health had been adopted to include the "well-being" of persons, particularly with respect to vulnerable groups.

586. It was noted that WHO had recently provided technical input to the Committee of the Committee on Economic, Social and Cultural Rights for its general comment on the right to health. The representative expressed WHO's willingness to cooperate in a similar manner with the Committee on the Rights of the Child.

587. On 25 May 2000, the Committee met with Thomas Hammarberg and Peter Newell, representing EPOCH-Worldwide, to discuss recent developments and future strategies to prevent and combat corporal punishment of children in all countries. They explained that the political process leading to the Special Session of the General Assembly, in September 2001, would represent a key opportunity for their organization and others to advocate for the total prohibition of corporal punishment of children. They also commended the pioneering work of the Committee regarding this issue.

C. World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

588. At its 623rd meeting, held on 19 May 2000, Jacob Egbert Doek, Rapporteur of the Committee, presented a report concerning his participation at the first session of the Preparatory Committee for the World Conference, which was held in Geneva from 1 to 5 June 2000.

Mr. Doek referred to the contribution of the Committee (A/CONF.189/PC.1/15), especially with regard to the drafting by the Committee of a general comment on article 29 (1) of the Convention on the Rights of the Child.

589. At its 631st meeting, held on 25 May 2000, the Committee discussed with Hamid Gaham, Chief of the Support Services Branch, of OHCHR, the proposal made by Mr. Doek to the Preparatory Committee regarding possible child participation.

590. In his remarks, Mr. Gaham indicated that, inter alia, the Committee could envisage additional substantive contributions to the process of drafting the final documents of the World Conference which would be discussed by a working group in January 2001. He recalled the difficulties involved in securing effective participation of children at formal international meetings. Child participation was likely to be most effective at the local, national and regional levels, and within the preparatory process for the World Conference in which States, NGOs and United Nations bodies and agencies were engaged. Facilitating child participation, and attracting the attention of the media to this important aspect of the fight against racism, at the national and local levels would be more easily done by agencies such as UNICEF and by NGOs with a local presence. In addition, UNICEF and some NGOs already had local and national country-level projects and programmes dealing with child participation, as well as structures to interact with the media on matters related to children.

D. Future thematic debate

591. At its 632nd meeting, held on 25 May 2000, the Committee discussed its outline for the future thematic debate on "State violence and children" (see annex VI) scheduled to take place on 22 September 2000 during its twenty-fifth session. The outline was adopted by the Committee at its 641st meeting.

E. General comments

592. At its 631st meeting, held on 25 May 2000, the Committee continued to discuss the drafting process of a general comment on article 29 of the Convention (aims of education). The discussion focused mainly on the purpose and objectives of general comments and the methodology that the Committee wishes to follow regarding the drafting process.

F. Coordination Panel on Technical Advice and Assistance in Juvenile Justice

593. The second meeting of the Coordination Panel on Technical Advice and Assistance in Juvenile Justice (established by the Economic and Social Council in its resolution 1997/30) was held in New York from 20 to 21 March at UNICEF headquarters (see also CRC/C/80, paras. 193-194).

594. The second meeting offered, inter alia, an opportunity:

(a) To assess progress made since last meeting, including with regard to the programmes undertaken in the six countries chosen previously by the members of the Panel;

(b) To design a plan for future activities.

595. In addition, OHCHR presented to other members of the Panel the preliminary proposal for an international workshop on juvenile justice which would focus on three areas: access to accurate and comprehensive data and other information with regard to the administration of juvenile justice; perceptions relating to juvenile justice; and raising awareness of the situation of children implicated in juvenile justice, including children in conflict with the law.

596. The Panel made the following recommendations:

(a) Technical assistance should be consolidated in four of the six pilot countries chosen during the first meeting: Philippines, Lebanon, Bangladesh and Uganda;

(b) Technical assistance should be reactivated in Viet Nam.

The Panel chose to review the situation of four other countries: Benin, Yemen, South Africa and the Russian Federation.

G. Informal visit

597. The Committee was invited by the Italian authorities to undertake an informal visit to Reggio Emilia to observe the work of the Diana Municipal Pre-school, known to be one of the most avant-garde early childhood institutions in the world. The school is part of a network of early childhood educational services directly operated by the municipality of Reggio Emilia since 1963. The network currently includes 21 pre-schools and is based on the principle that children are the subject of rights. During the visit on 27 and 28 May, members of the Committee met with the Mayor of Reggio Emilia, Antonella Spaggiari, to discuss the educational system and, more generally, the implementation of the Convention, and were briefed by members of the carabineri corps (law enforcement agency) on their work in the area of social protection and human rights. They indicated that the principles of the Convention had been included in training programmes for law enforcement officers.

IV. DRAFT PROVISIONAL AGENDA FOR THE TWENTY-FIFTH SESSION

598. The following is the draft provisional agenda for the twenty-fifth session of the Committee:

1. Adoption of the agenda.

2. Organizational matters.

3. Submission of reports by States parties.

4. Consideration of reports of States parties.

5. General discussion on "State violence against children"

6. Cooperation with other United Nations bodies, specialized agencies and other competent bodies.

7. Methods of work of the Committee.

8. General comments.

9. Future meetings.

10. Other matters.

V. ADOPTION OF THE REPORT

599. At its 641st meeting, held on 2 June 2000 the Committee considered the draft report on its twenty-fourth session. The report was adopted unanimously by the Committee.

Annex I

STATES WHICH HAVE RATIFIED OR ACCEDED TO THE CONVENTION ON THE RIGHTS OF THE CHILD AS AT 2 JUNE 2000
(191)

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Afghanistan	27 September 1990	28 March 1994	27 April 1994
Albania	26 January 1990	27 February 1992	28 March 1992
Algeria	26 January 1990	16 April 1993	16 May 1993
Andorra	2 October 1995	2 January 1996	1 February 1996
Angola	14 February 1990	5 December 1990	4 January 1991
Antigua and Barbuda	12 March 1991	5 October 1993	4 November 1993
Argentina	29 June 1990	4 December 1990	3 January 1991
Armenia		23 June 1993 a/	22 July 1993
Australia	22 August 1990	17 December 1990	16 January 1991
Austria	26 January 1990	6 August 1992	5 September 1992
Azerbaijan		13 August 1992 a/	12 September 1992
Bahamas	30 October 1990	20 February 1991	22 March 1991
Bahrain		13 February 1992 a/	14 March 1992
Bangladesh	26 January 1990	3 August 1990	2 September 1990
Barbados	19 April 1990	9 October 1990	8 November 1990
Belarus	26 January 1990	1 October 1990	31 October 1990
Belgium	26 January 1990	16 December 1991	15 January 1992
Belize	2 March 1990	2 May 1990	2 September 1990
Benin	25 April 1990	3 August 1990	2 September 1990
Bhutan	4 June 1990	1 August 1990	2 September 1990
Bolivia	8 March 1990	26 June 1990	2 September 1990
Bosnia and Herzegovina b/			6 March 1992
Botswana		14 March 1995 a/	13 April 1995
Brazil	26 January 1990	24 September 1990	24 October 1990
Brunei Darussalam		27 December 1995 a/	26 January 1996

a/ Accession.

b/ Succession.

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Bulgaria	31 May 1990	3 June 1991	3 July 1991
Burkina Faso	26 January 1990	31 August 1990	30 September 1990
Burundi	8 May 1990	19 October 1990	18 November 1990
Cambodia	22 September 1992	15 October 1992	14 November 1992
Cameroon	25 September 1990	11 January 1993	10 February 1993
Canada	28 May 1990	13 December 1991	12 January 1992
Cape Verde		4 June 1992 a/	4 July 1992
Central African Republic	30 July 1990	23 April 1992	23 May 1992
Chad	30 September 1990	2 October 1990	1 November 1990
Chile	26 January 1990	13 August 1990	12 September 1990
China	29 August 1990	2 March 1992	1 April 1992
Colombia	26 January 1990	28 January 1991	27 February 1991
Comoros	30 September 1990	22 June 1993	21 July 1993
Congo		14 October 1993 a/	13 November 1993
Cook Islands		6 June 1997 a/	6 July 1997
Costa Rica	26 January 1990	21 August 1990	20 September 1990
Côte d'Ivoire	26 January 1990	4 February 1991	6 March 1991
Croatia b/			8 October 1991
Cuba	26 January 1990	21 August 1991	20 September 1991
Cyprus	5 October 1990	7 February 1991	9 March 1991
Czech Republic b/			1 January 1993
Democratic People's Republic of Korea	23 August 1990	21 September 1990	21 October 1990
Democratic Republic of Congo	20 March 1990	27 September 1990	27 October 1990
Denmark	26 January 1990	19 July 1991	18 August 1991
Djibouti	30 September 1990	6 December 1990	5 January 1991
Dominica	26 January 1990	13 March 1991	12 April 1991
Dominican Republic	8 August 1990	11 June 1991	11 July 1991
Ecuador	26 January 1990	23 March 1990	2 September 1990
Egypt	5 February 1990	6 July 1990	2 September 1990
El Salvador	26 January 1990	10 July 1990	2 September 1990

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Equatorial Guinea		15 June 1992 a/	15 July 1992
Eritrea	20 December 1993	3 August 1994	2 September 1994
Estonia		21 October 1991 a/	20 November 1991
Ethiopia		14 May 1991 a/	13 June 1991
Fiji	2 July 1993	13 August 1993	12 September 1993
Finland	26 January 1990	20 June 1991	20 July 1991
France	26 January 1990	7 August 1990	6 September 1990
Gabon	26 January 1990	9 February 1994	11 March 1994
Gambia	5 February 1990	8 August 1990	7 September 1990
Georgia		2 June 1994 a/	2 July 1994
Germany	26 January 1990	6 March 1992	5 April 1992
Ghana	29 January 1990	5 February 1990	2 September 1990
Greece	26 January 1990	11 May 1993	10 June 1993
Grenada	21 February 1990	5 November 1990	5 December 1990
Guatemala	26 January 1990	6 June 1990	2 September 1990
Guinea		13 July 1990 a/	2 September 1990
Guinea-Bissau	26 January 1990	20 August 1990	19 September 1990
Guyana	30 September 1990	14 January 1991	13 February 1991
Haiti	20 January 1990	8 June 1995	8 July 1995
Holy See	20 April 1990	20 April 1990	2 September 1990
Honduras	31 May 1990	10 August 1990	9 September 1990
Hungary	14 March 1990	7 October 1991	6 November 1991
Iceland	26 January 1990	28 October 1992	27 November 1992
India		11 December 1992 a/	11 January 1993
Indonesia	26 January 1990	5 September 1990	5 October 1990
Iran (Islamic Republic of)	5 September 1991	13 July 1994	12 August 1994
Iraq		15 June 1994 a/	15 July 1994
Ireland	30 September 1990	28 September 1992	28 October 1992
Israel	3 July 1990	3 October 1991	2 November 1991
Italy	26 January 1990	5 September 1991	5 October 1991
Jamaica	26 January 1990	14 May 1991	13 June 1991
Japan	21 September 1990	22 April 1994	22 May 1994
Jordan	29 August 1990	24 May 1991	23 June 1991
Kazakhstan	16 February 1994	12 August 1994	11 September 1994
Kenya	26 January 1990	30 July 1990	2 September 1990

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Kiribati		11 December 1995 a/	10 January 1996
Kuwait	7 June 1990	21 October 1991	20 November 1991
Kyrgyzstan		7 October 1994	6 November 1994
Lao People's Democratic Republic		8 May 1991 a/	7 June 1991
Latvia		14 April 1992 a/	14 May 1992
Lebanon	26 January 1990	14 May 1991	13 June 1991
Lesotho	21 August 1990	10 March 1992	9 April 1992
Liberia	26 April 1990	4 June 1993	4 July 1993
Libyan Arab Jamahiriya		15 April 1993 a/	15 May 1993
Liechtenstein	30 September 1990	22 December 1995	21 January 1996
Lithuania		31 January 1992 a/	1 March 1992
Luxembourg	21 March 1990	7 March 1994	6 April 1994
Madagascar	19 April 1990	19 March 1991	18 April 1991
Malawi		2 January 1991 a/	1 February 1991
Malaysia		17 February 1995 a/	19 March 1995
Maldives	21 August 1990	11 February 1991	13 March 1991
Mali	26 January 1990	20 September 1990	20 October 1990
Malta	26 January 1990	30 September 1990	30 October 1990
Marshall Islands	14 April 1993	4 October 1993	3 November 1993
Mauritania	26 January 1990	16 May 1991	15 June 1991
Mauritius		26 July 1990 a/	2 September 1990
Mexico	26 January 1990	21 September 1990	21 October 1990
Micronesia (Federated States of)		5 May 1993 a/	4 June 1993
Monaco		21 June 1993 a/	21 July 1993
Mongolia	26 January 1990	5 July 1990	2 September 1990
Morocco	26 January 1990	21 June 1993	21 July 1993
Mozambique	30 September 1990	26 April 1994	26 May 1994
Myanmar		15 July 1991 a/	14 August 1991
Namibia	26 September 1990	30 September 1990	30 October 1990
Nauru		27 July 1994 a/	26 August 1994
Nepal	26 January 1990	14 September 1990	14 October 1990
Netherlands	26 January 1990	6 February 1995	7 March 1995
New Zealand	1 October 1990	6 April 1993	6 May 1993
Nicaragua	6 February 1990	5 October 1990	4 November 1990
Niger	26 January 1990	30 September 1990	30 October 1990

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Nigeria	26 January 1990	19 April 1991	19 May 1991
Niue		20 December 1995 a/	19 January 1996
Norway	26 January 1990	8 January 1991	7 February 1991
Oman		9 December 1996 a/	8 January 1997
Pakistan	20 September 1990	12 November 1990	12 December 1990
Palau		4 August 1995 a/	3 September 1995
Panama	26 January 1990	12 December 1990	11 January 1991
Papua New Guinea	30 September 1990	1 March 1993	31 March 1993
Paraguay	4 April 1990	25 September 1990	25 October 1990
Peru	26 January 1990	4 September 1990	4 October 1990
Philippines	26 January 1990	21 August 1990	20 September 1990
Poland	26 January 1990	7 June 1991	7 July 1991
Portugal	26 January 1990	21 September 1990	21 October 1990
Qatar	8 December 1992	3 April 1995	3 May 1995
Republic of Korea	25 September 1990	20 November 1991	20 December 1991
Republic of Moldova		26 January 1993 a/	25 February 1993
Romania	26 January 1990	28 September 1990	28 October 1990
Russian Federation	26 January 1990	16 August 1990	15 September 1990
Rwanda	26 January 1990	24 January 1991	23 February 1991
Saint Kitts and Nevis	26 January 1990	24 July 1990	2 September 1990
Saint Lucia		16 June 1993 a/	16 July 1993
Saint Vincent and the Grenadines	20 September 1993	26 October 1993	25 November 1993
Samoa	30 September 1990	29 November 1994	29 December 1994
San Marino		25 November 1991 a/	25 December 1991
Sao Tome and Principe		14 May 1991 a/	13 June 1991
Saudi Arabia		26 January 1996 a/	25 February 1996
Senegal	26 January 1990	31 July 1990	2 September 1990
Seychelles		7 September 1990 a/	7 October 1990
Sierra Leone	13 February 1990	18 June 1990	2 September 1990
Singapore		5 October 1995 a/	4 November 1995

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Slovakia b/			1 January 1993
Slovenia b/			25 June 1991
Solomon Islands		10 April 1995 a/	10 May 1995
South Africa	29 January 1993	16 June 1995	16 July 1995
Spain	26 January 1990	6 December 1990	5 January 1991
Sri Lanka	26 January 1990	12 July 1991	11 August 1991
Sudan	24 July 1990	3 August 1990	2 September 1990
Suriname	26 January 1990	1 March 1993	31 March 1993
Swaziland	22 August 1990	7 September 1995	6 October 1995
Sweden	26 January 1990	29 June 1990	2 September 1990
Switzerland	1 May 1991	24 February 1997	26 March 1997
Syrian Arab Republic	18 September 1990	15 July 1993	14 August 1993
Tajikistan		26 October 1993 a/	25 November 1993
Thailand		27 March 1992 a/	26 April 1992
The former Yugoslav Republic of Macedonia b/			17 September 1991
Togo	26 January 1990	1 August 1990	2 September 1990
Tonga		6 November 1995 a/	6 December 1995
Trinidad and Tobago	30 September 1990	5 December 1991	4 January 1992
Tunisia	26 February 1990	30 January 1992	29 February 1992
Turkey	14 September 1990	4 April 1995	4 May 1995
Turkmenistan		20 September 1993 a/	19 October 1993
Tuvalu		22 September 1995 a/	22 October 1995
Uganda	17 August 1990	17 August 1990	16 September 1990
Ukraine	21 February 1991	28 August 1991	27 September 1991
United Arab Emirates		3 January 1997 a/	2 February 1997
United Kingdom of Great Britain and Northern Ireland	19 April 1990	16 December 1991	15 January 1992
United Republic of Tanzania	1 June 1990	10 June 1991	10 July 1991
Uruguay	26 January 1990	20 November 1990	20 December 1990
Uzbekistan		29 June 1994 a/	29 July 1994
Vanuatu	30 September 1990	7 July 1993	6 August 1993

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Venezuela	26 January 1990	13 September 1990	13 October 1990
Viet Nam	26 January 1990	28 February 1990	2 September 1990
Yemen	13 February 1990	1 May 1991	31 May 1991
Yugoslavia	26 January 1990	3 January 1991	2 February 1991
Zambia	30 September 1990	5 December 1991	5 January 1992
Zimbabwe	8 March 1990	11 September 1990	11 October 1990

Annex II

MEMBERSHIP OF THE COMMITTEE ON THE RIGHTS OF THE CHILD

Name of member	Country of nationality
Mr. Jacob Egbert DOEK**	Netherlands
Mrs. Amina Hamza EL GUINDI**	Egypt
Mr. Francesco Paolo FULCI*	Italy
Mrs. Judith KARP**	Israel
Mrs. Lily I. RILANTONO*	Indonesia
Mrs. Esther Margaret Queen MOKHUANE*	South Africa
Mrs. Awa N'Deye OUEDRAOGO**	Burkina Faso
Mr. Ghassan Salim RABAH*	Lebanon
Mrs. Marilia SARDENBERG*	Brazil
Mrs. Elisabeth TIGERSTEDT-TÄHTELÄ**	Finland

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* Term expires on 28 February 2001.

** Term expires on 28 February 2003.

Annex III

STATUS OF SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION ON THE RIGHTS OF THE CHILD AS AT 2 JUNE 2000

Initial reports due in 1992

State party	Date of entry into force	Date due	Date of submission	Symbol
Bangladesh	2 September 1990	1 September 1992	15 November 1995	CRC/C/3/Add.38 and Add.49
Barbados	8 November 1990	7 November 1992	12 September 1996	CRC/C/3/Add.45
Belarus	31 October 1990	30 October 1992	12 February 1993	CRC/C/3/Add.14
Belize	2 September 1990	1 September 1992	1 November 1996	CRC/C/3/Add.46
Benin	2 September 1990	1 September 1992	22 January 1997	CRC/C/3/Add.52
Bhutan	2 September 1990	1 September 1992	20 April 1999	CRC/C/3/Add.59
Bolivia	2 September 1990	1 September 1992	14 September 1992	CRC/C/3/Add.2
Brazil	24 October 1990	23 October 1992		
Burkina Faso	30 September 1990	29 September 1992	7 July 1993	CRC/C/3/Add.19
Burundi	18 November 1990	17 November 1992	19 March 1998	CRC/C/3/Add.58
Chad	1 November 1990	31 October 1992	14 January 1997	CRC/C/3/Add.50
Chile	12 September 1990	11 September 1992	22 June 1993	CRC/C/3/Add.18
Costa Rica	20 September 1990	20 September 1992	28 October 1992	CRC/C/3/Add.8
Democratic People's Republic of Korea	21 October 1990	20 October 1992	13 February 1996	CRC/C/3/Add.41
Democratic Republic of the Congo	27 October 1990	26 October 1992	16 February 1998	CRC/C/3/Add.57
Ecuador	2 September 1990	1 September 1992	11 June 1996	CRC/C/3/Add.44
Egypt	2 September 1990	1 September 1992	23 October 1992	CRC/C/3/Add.6
El Salvador	2 September 1990	1 September 1992	3 November 1992	CRC/C/3/Add.9 and Add.28
France	6 September 1990	5 September 1992	8 April 1993	CRC/C/3/Add.15
Gambia	7 September 1990	6 September 1992	20 November 1999	CRC/C/3/Add.61

Initial reports due in 1992 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Ghana	2 September 1990	1 September 1992	20 November 1995	CRC/C/3/Add.39
Grenada	5 December 1990	4 December 1992	24 September 1997	CRC/C/3/Add.55
Guatemala	2 September 1990	1 September 1992	5 January 1995	CRC/C/3/Add.33
Guinea	2 September 1990	1 September 1992	20 November 1996	CRC/C/3/Add.48
Guinea-Bissau	19 September 1990	18 September 1992		
Holy See	2 September 1990	1 September 1992	2 March 1994	CRC/C/3/Add.27
Honduras	9 September 1990	8 September 1992	11 May 1993	CRC/C/3/Add.17
Indonesia	5 October 1990	4 October 1992	17 November 1992	CRC/C/3/Add.10 and Add.26
Kenya	2 September 1990	1 September 1992	13 January 2000	CRC/C/3/Add.62
Mali	20 October 1990	19 October 1992	2 April 1997	CRC/C/3/Add.53
Malta	30 October 1990	29 October 1992	26 December 1997	CRC/C/3/Add.56
Mauritius	2 September 1990	1 September 1992	25 July 1995	CRC/C/3/Add.36
Mexico	21 October 1990	20 October 1992	15 December 1992	CRC/C/3/Add.11
Mongolia	2 September 1990	1 September 1992	20 October 1994	CRC/C/3/Add.32
Namibia	30 October 1990	29 October 1992	21 December 1992	CRC/C/3/Add.12
Nepal	14 October 1990	13 October 1992	10 April 1995	CRC/C/3/Add.34
Nicaragua	4 November 1990	3 November 1992	12 January 1994	CRC/C/3/Add.25
Niger	30 October 1990	29 October 1992		
Pakistan	12 December 1990	11 December 1992	25 January 1993	CRC/C/3/Add.13
Paraguay	25 October 1990	24 October 1992	30 August 1993 and 13 November 1996	CRC/C/3/Add.22 and Add.47
Peru	4 October 1990	3 October 1992	28 October 1992	CRC/C/3/Add.7 and Add.24
Philippines	20 September 1990	19 September 1992	21 September 1993	CRC/C/3/Add.23
Portugal	21 October 1990	20 October 1992	17 August 1994	CRC/C/3/Add.30
Romania	28 October 1990	27 October 1992	14 April 1993	CRC/C/3/Add.16
Russian Federation	15 September 1990	14 September 1992	16 October 1992	CRC/C/3/Add.5

Initial reports due in 1992 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Saint Kitts and Nevis	2 September 1990	1 September 1992	21 January 1997	CRC/C/3/Add.51
Senegal	2 September 1990	1 September 1992	12 September 1994	CRC/C/3/Add.31
Seychelles	7 October 1990	6 October 1992		
Sierra Leone	2 September 1990	1 September 1992	10 April 1996	CRC/C/3/Add.43
Sudan	2 September 1990	1 September 1992	29 September 1992	CRC/C/3/Add.3 and Add.20
Sweden	2 September 1990	1 September 1992	7 September 1992	CRC/C/3/Add.1
Togo	2 September 1990	1 September 1992	27 February 1996	CRC/C/3/Add.42
Uganda	16 September 1990	15 September 1992	1 February 1996	CRC/C/3/Add.40
Uruguay	20 December 1990	19 December 1992	2 August 1995	CRC/C/3/Add.37
Venezuela	13 October 1990	12 October 1992	9 July 1997	CRC/C/3/Add.54
Viet Nam	2 September 1990	1 September 1992	30 September 1992	CRC/C/3/Add.4 and Add.21
Zimbabwe	11 October 1990	10 October 1992	23 May 1995	CRC/C/3/Add.35

Initial reports due in 1993

Angola	4 January 1991	3 January 1993		
Argentina	3 January 1991	2 January 1993	17 March 1993	CRC/C/8/Add.2 and Add.17
Australia	16 January 1991	15 January 1993	8 January 1996	CRC/C/8/Add.31
Bahamas	22 March 1991	21 March 1993		
Bulgaria	3 July 1991	2 July 1993	29 September 1995	CRC/C/8/Add.29
Colombia	27 February 1991	26 February 1993	14 April 1993	CRC/C/8/Add.3
Côte d'Ivoire	6 March 1991	5 March 1993	22 January 1998	CRC/C/8/Add.41
Croatia	7 November 1991	6 November 1993	8 November 1994	CRC/C/8/Add.19
Cuba	20 September 1991	19 September 1993	27 October 1995	CRC/C/8/Add.30
Cyprus	9 March 1991	8 March 1993	22 December 1994	CRC/C/8/Add.24

Initial reports due in 1993 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Denmark	18 August 1991	17 August 1993	14 September 1993	CRC/C/8/Add.8
Djibouti	5 January 1991	4 January 1993	17 February 1998	CRC/C/8/Add.39
Dominica	12 April 1991	11 April 1993		
Dominican Republic	11 July 1991	10 July 1993	1 December 1999	CRC/C/8/Add.40
Estonia	20 November 1991	19 November 1993		
Ethiopia	13 June 1991	12 June 1993	10 August 1995	CRC/C/8/Add.27
Finland	20 July 1991	19 July 1993	12 December 1994	CRC/C/8/Add.22
Guyana	13 February 1991	12 February 1993		
Hungary	6 November 1991	5 November 1993	28 June 1996	CRC/C/8/Add.34
Israel	2 November 1991	1 November 1993		
Italy	5 October 1991	4 October 1993	11 October 1994	CRC/C/8/Add.18
Jamaica	13 June 1991	12 June 1993	25 January 1994	CRC/C/8/Add.12
Jordan	23 June 1991	22 June 1993	25 May 1993	CRC/C/8/Add.4
Kuwait	20 November 1991	19 November 1993	23 August 1996	CRC/C/8/Add.35
Lao People's Democratic Republic	7 June 1991	6 June 1993	18 January 1996	CRC/C/8/Add.32
Lebanon	13 June 1991	12 June 1993	21 December 1994	CRC/C/8/Add.23
Madagascar	18 April 1991	17 May 1993	20 July 1993	CRC/C/8/Add.5
Malawi	1 February 1991	31 January 1993		
Maldives	13 March 1991	12 March 1993	6 July 1994	CRC/C/8/Add.33 and Add.37
Mauritania	15 June 1991	14 June 1993	18 January 2000	CRC/C/8/Add.42
Myanmar	14 August 1991	13 August 1993	14 September 1995	CRC/C/8/Add.9
Nigeria	19 May 1991	18 May 1993	19 July 1995	CRC/C/8/Add.26
Norway	7 February 1991	6 February 1993	30 August 1993	CRC/C/8/Add.7
Panama	11 January 1991	10 January 1993	19 September 1995	CRC/C/8/Add.28
Poland	7 July 1991	6 July 1993	11 January 1994	CRC/C/8/Add.11

Initial reports due in 1993 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Republic of Korea	20 December 1991	19 December 1993	17 November 1994	CRC/C/8/Add.21
Rwanda	23 February 1991	22 February 1993	30 September 1992	CRC/C/8/Add.1
San Marino	25 December 1991	24 December 1993		
Sao Tome and Principe	13 June 1991	12 June 1993		
Slovenia	25 June 1991	24 June 1993	29 May 1995	CRC/C/8/Add.25
Spain	5 January 1991	4 January 1993	10 August 1993	CRC/C/8/Add.6
Sri Lanka	11 August 1991	10 August 1993	23 March 1994	CRC/C/8/Add.13
The former Yugoslav Republic of Macedonia	17 September 1991	16 September 1993	4 March 1997	CRC/C/8/Add.36
Ukraine	27 September 1991	26 September 1993	8 October 1993	CRC/C/8/Add.10/Rev.1
United Republic of Tanzania	10 July 1991	9 July 1993	20 October 1999	CRC/C/8/Add.14/Rev.1
Yemen	31 May 1991	30 May 1993	14 November 1994	CRC/C/8/Add.20 and Add.38
Yugoslavia	2 February 1991	1 February 1993	21 September 1994	CRC/C/8/Add.16

Initial reports due in 1994

Albania	28 March 1992	27 March 1994		
Austria	5 September 1992	4 September 1994	8 October 1996	CRC/C/11/Add.14
Azerbaijan	12 September 1992	11 September 1994	9 November 1995	CRC/C/11/Add.8
Bahrain	14 March 1992	14 March 1994		
Belgium	15 January 1992	14 January 1994	12 July 1994	CRC/C/11/Add.4
Bosnia and Herzegovina	6 March 1992	5 March 1994		
Cambodia	14 November 1992	15 November 1994	18 December 1997	CRC/C/11/Add.16
Canada	12 January 1992	11 January 1994	17 June 1994	CRC/C/11/Add.3
Cape Verde	4 July 1992	3 July 1994	30 November 1999	CRC/C/11/Add.23
Central African Republic	23 May 1992	23 May 1994	15 April 1998	CRC/C/11/Add.18

Initial reports due in 1994 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
China	1 April 1992	31 March 1994	27 March 1995	CRC/C/11/Add.7
Czech Republic	1 January 1993	31 December 1994	4 March 1996	CRC/C/11/Add.11
Equatorial Guinea	15 July 1992	14 July 1994		
Germany	5 April 1992	4 May 1994	30 August 1994	CRC/C/11/Add.5
Iceland	27 November 1992	26 November 1994	30 November 1994	CRC/C/11/Add.6
Ireland	28 October 1992	27 October 1994	4 April 1996	CRC/C/11/Add.12
Latvia	14 May 1992	13 May 1994	25 November 1998	CRC/C/11/Add.22
Lesotho	9 April 1992	8 April 1994	27 April 1998	CRC/C/11/Add.20
Lithuania	1 March 1992	28 February 1994	6 August 1998	CRC/C/11/Add.21
Slovakia	1 January 1993	31 December 1994	6 April 1998	CRC/C/11/Add.17
Thailand	26 April 1992	25 April 1994	23 August 1996	CRC/C/11/Add.13
Trinidad and Tobago	4 January 1992	3 January 1994	16 February 1996	CRC/C/11/Add.10
Tunisia	29 February 1992	28 February 1994	16 May 1994	CRC/C/11/Add.2
United Kingdom of Great Britain and Northern Ireland	15 January 1992	14 January 1994	15 March 1994	CRC/C/11/Add.1, Add.9, Add.15 and Add.15/Corr.1, Add.19
Zambia	5 January 1992	4 January 1994		

Initial reports due in 1995

Algeria	16 May 1993	15 May 1995	16 November 1995	CRC/C/28/Add.4
Antigua and Barbuda	4 November 1993	3 November 1995		
Armenia	23 July 1993	5 August 1995	19 February 1997	CRC/C/28/Add.9
Cameroon	10 February 1993	9 February 1995	3 April 2000	CRC/C/28/Add.16
Comoros	22 July 1993	21 July 1995	24 March 1998	CRC/C/28/Add.13

Initial reports due in 1995 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Congo	13 November 1993	12 November 1995		
Fiji	12 September 1993	11 September 1995	12 June 1996	CRC/C/28/Add.7
Greece	10 June 1993	9 June 1995	14 April 2000	CRC/C/28/Add.17
India	11 January 1993	10 January 1995	19 March 1997	CRC/C/28/Add.10
Liberia	4 July 1993	3 July 1995		
Libyan Arab Jamahiriya	15 May 1993	14 May 1995	23 May 1996	CRC/C/28/Add.6
Marshall Islands	3 November 1993	2 November 1995	18 March 1998	CRC/C/28/Add.12
Micronesia (Federated States of)	4 June 1993	3 June 1995	16 April 1996	CRC/C/28/Add.5
Monaco	21 July 1993	20 July 1995	9 June 1999	CRC/C/28/Add.15
Morocco	21 July 1993	20 July 1995	27 July 1995	CRC/C/28/Add.1
New Zealand	6 May 1993	5 May 1995	29 September 1995	CRC/C/28/Add.3
Papua New Guinea	31 March 1993	31 March 1995		
Republic of Moldova	25 February 1993	24 February 1995		
Saint Lucia	16 July 1993	15 July 1995		
Saint Vincent and the Grenadines	25 November 1993	24 November 1995		
Suriname	31 March 1993	31 March 1995	13 February 1998	CRC/C/28/Add.11
Syrian Arab Republic	14 August 1993	13 August 1995	22 September 1995	CRC/C/28/Add.2
Tajikistan	25 November 1993	24 November 1995	14 April 1998	CRC/C/28/Add.14
Turkmenistan	20 October 1993	19 October 1995		
Vanuatu	6 August 1993	5 August 1995	27 January 1997	CRC/C/28/Add.8

Initial reports due in 1996

State party	Date of entry into force	Date due	Date of submission	Symbol
Afghanistan	27 April 1994	26 April 1996		
Gabon	11 March 1994	10 March 1996		
Luxembourg	6 April 1994	5 April 1996	26 July 1996	CRC/C/41/Add.2
Japan	22 May 1994	21 May 1996	30 May 1996	CRC/C/41/Add.1
Mozambique	26 May 1994	25 May 1996		
Georgia	2 July 1994	1 July 1996	7 April 1997	CRC/C/41/Add.4
Iraq	15 July 1994	14 July 1996	6 August 1996	CRC/C/41/Add.3
United Kingdom of Great Britain and Northern Ireland (Overseas Territories)	7 September 1994	6 September 1996	26 May 1999	CRC/C/41/Add.7
Uzbekistan	29 July 1994	28 July 1996	27 December 1999	CRC/C/41/Add.8
Iran (Islamic Republic of)	12 August 1994	11 August 1996	9 December 1997	CRC/C/41/Add.5
Nauru	26 August 1994	25 August 1996		
Eritrea	2 September 1994	1 September 1996		
Kazakstan	11 September 1994	10 September 1996		
Kyrgyzstan	6 November 1994	5 November 1996	16 February 1998	CRC/C/41/Add.6
Samoa	29 December 1994	28 December 1996		

Initial reports due in 1997

Netherlands	7 March 1995	6 March 1997	15 May 1997	CRC/C/51/Add.1
Malaysia	19 March 1995	18 March 1997		
Botswana	13 April 1995	12 April 1997		
Qatar	3 May 1995	2 May 1997	29 October 1999	CRC/C/51/Add.5
Turkey	4 May 1995	3 May 1997		

Initial reports due in 1997 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Solomon Islands	10 May 1995	9 May 1997		
Haiti	8 July 1995	7 July 1997		
South Africa	16 July 1995	15 July 1997	4 December 1997	CRC/C/51/Add.2
Palau	3 September 1995	3 September 1997	21 October 1998	CRC/C/51/Add.3
Swaziland	6 October 1995	5 October 1997		
Tuvalu	22 October 1995	21 October 1997		
Singapore	4 November 1995	3 November 1997		
Tonga	6 December 1995	5 December 1997		

Initial reports due in 1998

Kiribati	10 January 1996	9 January 1998		
Niue	19 January 1996	18 January 1998		
Liechtenstein	21 January 1996	20 January 1998	22 September 1998	CRC/C/61/Add.1
Brunei Darussalam	26 January 1996	25 January 1998		
Andorra	1 February 1996	31 January 1998		
Saudi Arabia	25 February 1996	24 February 1998	21 October 1999	CRC/C/61/Add.2

Initial reports due in 1999

Oman	8 January 1997	7 January 1999	5 July 1999	CRC/C/78/Add.1
United Arab Emirates	2 February 1997	1 February 1999		
Switzerland	26 March 1997	25 March 1999		
Cook Islands	6 July 1997	5 July 1999		

Second periodic reports due in 1997

State party	Date due	Date of submission	Symbol
Bangladesh	1 September 1997		
Barbados	7 November 1997		
Belarus	30 October 1997	20 May 1999	CRC/C/65/Add.14
Belize	1 September 1997		
Benin	1 September 1997		
Bhutan	1 September 1997		
Bolivia	1 September 1997	12 August 1997	CRC/C/65/Add.1
Brazil	23 October 1997		
Burkina Faso	29 September 1997	11 October 1999	CRC/C/65/Add.18
Burundi	17 November 1997		
Chad	31 October 1997		
Chile	11 September 1997	10 February 1999	CRC/C/65/Add.13
Costa Rica	20 September 1997	20 January 1998	CRC/C/65/Add.7
Democratic People's Republic of Korea	20 October 1997		
Democratic Republic of the Congo	26 October 1997		
Ecuador	1 September 1997		
Egypt	1 September 1997	18 September 1998	CRC/C/65/Add.9
El Salvador	1 September 1997		
France	5 September 1997		
Gambia	6 September 1997		
Ghana	1 September 1997		
Grenada	4 December 1997		
Guatemala	1 September 1997	7 October 1998	CRC/C/65/Add.10
Guinea	1 September 1997		
Guinea-Bissau	18 September 1997		
Holy See	1 September 1997		
Honduras	8 September 1997	18 September 1997	CRC/C/65/Add.2
Indonesia	4 October 1997		
Kenya	1 September 1997		
Mali	19 October 1997		
Malta	29 October 1997		
Mauritius	1 September 1997		
Mexico	20 October 1997	14 January 1998	CRC/C/65/Add.6
Mongolia	1 September 1997		
Namibia	29 October 1997		
Nepal	13 October 1997		
Nicaragua	3 November 1997	12 November 1997	CRC/C/65/Add.4
Niger	29 October 1997		
Pakistan	11 December 1997		
Paraguay	24 October 1997	12 October 1998	CRC/C/65/Add.12

Second periodic reports due in 1997 (continued)

State party	Date due	Date of submission	Symbol
Peru	3 October 1997	25 March 1998	CRC/C/65/Add.8
Philippines	19 September 1997		
Portugal	20 October 1997	8 October 1998	CRC/C/65/Add.11
Romania	27 October 1997	18 January 2000	CRC/C/65/Add.19
Russian Federation	14 September 1997	12 January 1998	CRC/C/65/Add.5
Saint Kitts and Nevis	1 September 1997		
Senegal	1 September 1997		
Seychelles	6 October 1997		
Sierra Leone	1 September 1997		
Sudan	1 September 1997	7 July 1999	CRC/C/65/Add.15
Sweden	1 September 1997	25 September 1997	CRC/C/65/Add.3
Togo	1 September 1997		
Uganda	15 September 1997		
Uruguay	19 December 1997		
Venezuela	12 October 1997		
Viet Nam	1 September 1997	10 May 2000	CRC/C/65/Add.20
Zimbabwe	10 October 1997		

Second periodic reports due in 1998

Angola	3 January 1998		
Argentina	2 January 1998	12 August 1999	CRC/C/70/Add.16
Australia	15 January 1998		
Bahamas	21 March 1998		
Bulgaria	2 July 1998		
Colombia	26 February 1998	9 September 1998	CRC/C/70/Add.5
Côte d'Ivoire	5 March 1998		
Croatia	7 October 1998		
Cuba	19 September 1998		
Cyprus	8 March 1998		
Denmark	17 August 1998	15 September 1998	CRC/C/70/Add.6
Djibouti	4 January 1998		
Dominica	11 April 1998		
Dominican Republic	10 July 1998		
Estonia	19 November 1998		
Ethiopia	12 June 1998	28 September 1998	CRC/C/70/Add.7
Finland	19 July 1998	3 August 1998	CRC/C/70/Add.3
Guyana	12 February 1998		
Hungary	5 November 1998		
Israel	1 November 1998		

Second periodic reports due in 1998 (continued)

State party	Date due	Date of submission	Symbol
Italy	4 October 1998	21 March 2000	CRC/C/70/Add.13
Jamaica	12 June 1998	16 May 2000	CRC/C/70/Add.15
Jordan	22 June 1998	5 August 1998	CRC/C/70/Add.4
Kuwait	19 November 1998		
Lao People's Democratic Republic	6 June 1998		
Lebanon	12 June 1998	4 December 1998	CRC/C/70/Add.8
Madagascar	17 April 1998		
Malawi	31 January 1998		
Maldives	12 March 1998		
Mauritania	14 June 1998		
Myanmar	13 August 1998		
Nigeria	18 May 1998		
Norway	6 February 1998	1 July 1998	CRC/C/70/Add.2
Panama	10 January 1998		
Poland	6 July 1998	2 December 1999	CRC/C/70/Add.12
Republic of Korea	19 December 1998	1 May 2000	CRC/C/70/Add.14
Rwanda	22 February 1998		
San Marino	24 December 1998		
Sao Tome and Principe	12 June 1998		
Slovenia	24 June 1998		
Spain	4 January 1998	1 June 1999	CRC/C/70/Add.9
Sri Lanka	10 August 1998		
The former Yugoslav Republic of Macedonia	16 September 1998		
Ukraine	26 September 1998	12 August 1999	CRC/C/70/Add.11
United Republic of Tanzania	9 July 1998		
Yemen	30 May 1998	3 February 1998	CRC/C/70/Add.1
Yugoslavia	1 February 1998		

Second periodic reports due in 1999

Albania	27 March 1999		
Austria	4 September 1999		
Azerbaijan	11 September 1999		
Bahrain	14 March 1999		
Belgium	15 January 1999	7 May 1999	CRC/C/83/Add.2

Second periodic reports due in 1999 (continued)

State party	Date due	Date of submission	Symbol
Bosnia and Herzegovina	5 March 1999		
Cambodia	15 November 1999		
Canada	11 January 1999		
Cape Verde	3 July 1999		
Central African Republic	23 May 1999		
China	31 March 1999		
Czech Republic	31 December 1999	3 March 2000	CRC/C/83/Add.4
Equatorial Guinea	14 July 1999		
Germany	4 May 1999		
Iceland	26 November 1999	27 April 2000	CRC/C/83/Add.5
Ireland	27 October 1999		
Latvia	13 May 1999		
Lesotho	8 April 1999		
Lithuania	28 February 1999		
Slovakia	31 December 1999		
Thailand	25 April 1999		
Trinidad and Tobago	3 January 1999		
Tunisia	28 February 1999	16 March 1999	CRC/C/83/Add.1
United Kingdom of Great Britain and Northern Ireland	14 January 1999	14 September 1999	CRC/C/83/Add.3
Zambia	4 January 1999		

Second periodic reports due in 2000

Algeria	15 May 2000
Antigua and Barbuda	3 November 2000
Armenia	5 August 2000
Cameroon	9 February 2000
Comoros	21 July 2000
Congo	12 November 2000
Federated States of Micronesia	3 June 2000
Fiji	11 September 2000
Greece	9 June 2000
Liberia	3 July 2000
India	10 January 2000
Libyan Arab Jamahiriya	14 May 2000
Marshall Islands	2 November 2000
Monaco	20 July 2000
Morocco	20 July 2000

Second periodic reports due in 2000 (continued)

New Zealand	5 May 2000
Papua New Guinea	31 March 2000
Republic of Moldova	24 February 2000
Saint Lucia	15 July 2000
Saint Vincent and the Grenadines	24 November 2000
Suriname	31 March 2000
Syrian Arab Republic	13 August 2000
Tajikistan	24 November 2000
Turkmenistan	19 October 2000
Vanuatu	5 August 2000

Annex IV

LIST OF INITIAL AND SECOND PERIODIC REPORTS CONSIDERED BY THE COMMITTEE ON THE RIGHTS OF THE CHILD AS AT 2 JUNE 2000

	State party reports	Observations adopted by the Committee
Third session (January 1993)		
Bolivia	CRC/C/3/Add.2	CRC/C/15/Add.1
Sweden	CRC/C/3/Add.1	CRC/C/15/Add.2
Viet Nam	CRC/C/3/Add.4 and 21	CRC/C/15/Add.3
Russian Federation	CRC/C/3/Add.5	CRC/C/15/Add.4
Egypt	CRC/C/3/Add.6	CRC/C/15/Add.5
Sudan	CRC/C/3/Add.3	CRC/C/15/Add.6 (preliminary)
Fourth session (September-October 1993)		
Indonesia	CRC/C/3/Add.10	CRC/C/15/Add.7 (preliminary)
Peru	CRC/C/3/Add.7	CRC/C/15/Add.8
El Salvador	CRC/C/3/Add.9 and 28	CRC/C/15/Add.9
Sudan	CRC/C/3/Add.3 and 20	CRC/C/15/Add.10
Costa Rica	CRC/C/3/Add.8	CRC/C/15/Add.11
Rwanda	CRC/C/8/Add.1	CRC/C/15/Add.12 (preliminary)
Fifth session (January 1994)		
Mexico	CRC/C/3/Add.11	CRC/C/15/Add.13
Namibia	CRC/C/3/Add.12	CRC/C/15/Add.14
Colombia	CRC/C/8/Add.3	CRC/C/15/Add.15 (preliminary)
Romania	CRC/C/3/Add.16	CRC/C/15/Add.16
Belarus	CRC/C/3/Add.14	CRC/C/15/Add.17
Sixth session (April 1994)		
Pakistan	CRC/C/3/Add.13	CRC/C/15/Add.18
Burkina Faso	CRC/C/3/Add.19	CRC/C/15/Add.19
France	CRC/C/3/Add.15	CRC/C/15/Add.20
Jordan	CRC/C/8/Add.4	CRC/C/15/Add.21
Chile	CRC/C/3/Add.18	CRC/C/15/Add.22
Norway	CRC/C/8/Add.7	CRC/C/15/Add.23

	State party reports	Observations adopted by the Committee
Seventh session (September-October 1994)		
Honduras	CRC/C/3/Add.17	CRC/C/15/Add.24
Indonesia	CRC/C/3/Add.10 and 26	CRC/C/15/Add.25
Madagascar	CRC/C/8/Add.5	CRC/C/15/Add.26
Paraguay	CRC/C/3/Add.22	CRC/C/15/Add.27 (preliminary)
Spain	CRC/C/8/Add.6	CRC/C/15/Add.28
Argentina	CRC/C/8/Add.2 and 17	CRC/C/15/Add.35 (adopted at the eighth session)
Eighth session (January 1995)		
Philippines	CRC/C/3/Add.23	CRC/C/15/Add.29
Colombia	CRC/C/8/Add.3	CRC/C/15/Add.30
Poland	CRC/C/8/Add.11	CRC/C/15/Add.31
Jamaica	CRC/C/8/Add.12	CRC/C/15/Add.32
Denmark	CRC/C/8/Add.8	CRC/C/15/Add.33
United Kingdom of Great Britain and Northern Ireland	CRC/C/11/Add.1	CRC/C/15/Add.34
Ninth session (May-June 1995)		
Nicaragua	CRC/C/3/Add.25	CRC/C/15/Add.36
Canada	CRC/C/11/Add.3	CRC/C/15/Add.37
Belgium	CRC/C/11/Add.4	CRC/C/15/Add.38
Tunisia	CRC/C/11/Add.2	CRC/C/15/Add.39
Sri Lanka	CRC/C/8/Add.13	CRC/C/15/Add.40
Tenth session (October-November 1995)		
Italy	CRC/C/8/Add.18	CRC/C/15/Add.41
Ukraine	CRC/C/8/Add.10/Rev.1	CRC/C/15/Add.42
Germany	CRC/C/11/Add.5	CRC/C/15/Add.43
Senegal	CRC/C/3/Add.31	CRC/C/15/Add.44
Portugal	CRC/C/3/Add.30	CRC/C/15/Add.45
Holy See	CRC/C/3/Add.27	CRC/C/15/Add.46

	State party reports	Observations adopted by the Committee
Eleventh session (January 1996)		
Yemen	CRC/C/8/Add.20	CRC/C/15/Add.47
Mongolia	CRC/C/3/Add.32	CRC/C/15/Add.48
Yugoslavia	CRC/C/8/Add.26	CRC/C/15/Add.49
Iceland	CRC/C/11/Add.6	CRC/C/15/Add.50
Republic of Korea	CRC/C/8/Add.21	CRC/C/15/Add.51
Croatia	CRC/C/8/Add.19	CRC/C/15/Add.52
Finland	CRC/C/8/Add.22	CRC/C/15/Add.53
Twelfth session (May-June 1996)		
Lebanon	CRC/C/18/Add.23	CRC/C/15/Add.54
Zimbabwe	CRC/C/3/Add.35	CRC/C/15/Add.55
China	CRC/C/11/Add.7	CRC/C/15/Add.56
Nepal	CRC/C/3/Add.34	CRC/C/15/Add.57
Guatemala	CRC/C/3/Add.33	CRC/C/15/Add.58
Cyprus	CRC/C/8/Add.24	CRC/C/15/Add.59
Thirteenth session (September-October 1996)		
Morocco	CRC/C/28/Add.1	CRC/C/15/Add.60
Nigeria	CRC/C/8/Add.26	CRC/C/15/Add.61
Uruguay	CRC/C/3/Add.37	CRC/C/15/Add.62
United Kingdom (Hong Kong)	CRC/C/11/Add.9	CRC/C/15/Add.63
Mauritius	CRC/C/3/Add.36	CRC/C/15/Add.64
Slovenia	CRC/C/8/Add.25	CRC/C/15/Add.65
Fourteenth session (January 1997)		
Ethiopia	CRC/C/8/Add.27	CRC/C/15/Add.66
Myanmar	CRC/C/8/Add.9	CRC/C/15/Add.67
Panama	CRC/C/8/Add.28	CRC/C/15/Add.68
Syrian Arab Republic	CRC/C/28/Add.2	CRC/C/15/Add.69
New Zealand	CRC/C/28/Add.3	CRC/C/15/Add.70
Bulgaria	CRC/C/8/Add.29	CRC/C/15/Add.71
Fifteenth session (May-June 1997)		
Cuba	CRC/C/8/Add.30	CRC/C/15/Add.72
Ghana	CRC/C/3/Add.39	CRC/C/15/Add.73
Bangladesh	CRC/C/3/Add.38 and 49	CRC/C/15/Add.74
Paraguay	CRC/C/3/Add.22 and 47	CRC/C/15/Add.75
Algeria	CRC/C/28/Add.4	CRC/C/15/Add.76
Azerbaijan	CRC/C/11/Add.8	CRC/C/15/Add.77

	State party reports	Observations adopted by the Committee
Sixteenth session (September-October 1997)		
Lao People's Democratic Republic	CRC/C/8/Add.32	CRC/C/15/Add.78
Australia	CRC/C/8/Add.31	CRC/C/15/Add.79
Uganda	CRC/C/3/Add.40	CRC/C/15/Add.80
Czech Republic	CRC/C/11/Add.11	CRC/C/15/Add.81
Trinidad and Tobago	CRC/C/11/Add.10	CRC/C/15/Add.82
Togo	CRC/C/3/Add.42	CRC/C/15/Add.83
Seventeenth session (January 1998)		
Libyan Arab Jamahiriya	CRC/C/28/Add.6	CRC/C/15/Add.84
Ireland	CRC/C/11/Add.12	CRC/C/15/Add.85
Micronesia (Federated States of)	CRC/C/28/Add.5	CRC/C/15/Add.86
Eighteenth session (May-June 1998)		
Hungary	CRC/C/8/Add.34	CRC/C/15/Add.87
Democratic People's Republic of Korea	CRC/C/3/Add.41	CRC/C/15/Add.88
Fiji	CRC/C/28/Add.7	CRC/C/15/Add.89
Japan	CRC/C/41/Add.1	CRC/C/15/Add.90
Maldives	CRC/C/8/Add.33 and 37	CRC/C/15/Add.91
Luxembourg	CRC/C/41/Add.2	CRC/C/15/Add.92
Nineteenth session (September-October 1998)		
	Initial reports	
Ecuador	CRC/C/3/Add.44	CRC/C/15/Add.93
Iraq	CRC/C/41/Add.3	CRC/C/15/Add.94
Thailand	CRC/C/11/Add.13	CRC/C/15/Add.96
Kuwait	CRC/C/8/Add.35	CRC/C/15/Add.97
	Second periodic reports	
Bolivia	CRC/C/65/Add.1	CRC/C/15/Add.95

	State party reports	Observations adopted by the Committee
Twentieth session (January 1999)		
	Initial reports	
Austria	CRC/C/11/Add.14	CRC/C/15/Add.98
Belize	CRC/C/3/Add.46	CRC/C/15/Add.99
Guinea	CRC/C/3/Add.48	CRC/C/15/Add.100
	Second periodic reports	
Sweden	CRC/C/65/Add.3	CRC/C/15/Add.101
Yemen	CRC/C/70/Add.1	CRC/C/15/Add.102
Twenty-first session (17 May-4 June 1999)		
	Initial reports	
Barbados	CRC/C/3/Add.45	CRC/C/15/Add.103
St. Kitts and Nevis	CRC/C/3/Add.51	CRC/C/15/Add.104
Benin	CRC/C/3/Add.52	CRC/C/15/Add.106
Chad	CRC/C/3/Add.50	CRC/C/15/Add.107
	Second periodic reports	
Honduras	CRC/C/65/Add.2	CRC/C/15/Add.105
Nicaragua	CRC/C/65/Add.4	CRC/C/15/Add.108
Twenty-second session (20 September-8 October 1999)		
	Initial reports	
Venezuela	CRC/C/3/Add.54 and 59	CRC/C/15/Add.109
Vanuatu	CRC/C/28/Add.8	CRC/C/15/Add.111
Mali	CRC/C/3/Add.53	CRC/C/15/Add.113
Netherlands	CRC/C/51/Add.1	CRC/C/15/Add.114
	Second periodic reports	
Russian Federation	CRC/C/65/Add.5	CRC/C/15/Add.110
Mexico	CRC/C/65/Add.6	CRC/C/15/Add.112

	State party reports	Observations adopted by the Committee
Twenty-third session (10-28 January 2000)		
	Initial reports	
India	CRC/C/28/Add.10	CRC/C/15/Add.115
Sierra Leone	CRC/C/3/Add.43	CRC/C/15/Add.116
The former Yugoslav Republic of Macedonia	CRC/C/8/Add.36	CRC/C/15/Add.118
South Africa	CRC/C/51/Add.2	CRC/C/15/Add.122
Armenia	CRC/C/28/Add.9	CRC/C/15/Add.119
Grenada	CRC/C/3/Add.55	CRC/C/15/Add.121
	Second periodic reports	
Peru	CRC/C/65/Add.8	CRC/C/15/Add.120
Costa Rica	CRC/C/65/Add.7	CRC/C/15/Add.117
Twenty-fourth session (15 May-2 June 2000)		
	Initial reports	
Iran (Islamic Republic of)	CRC/C/41/Add.5	CRC/C/15/Add.123
Georgia	CRC/C/41/Add.4/Rev.1	CRC/C/15/Add.124
Kyrgyzstan	CRC/C/41/Add.6	CRC/C/15/Add.127
Cambodia	CRC/C/11/Add.16	CRC/C/15/Add.128
Malta	CRC/C/3/Add.56	CRC/C/15/Add.129
Suriname	CRC/C/28/Add.11	CRC/C/15/Add.130
Djibouti	CRC/C/8/Add.39	CRC/C/15/Add.131
	Second periodic reports	
Jordan	CRC/C/70/Add.4	CRC/C/15/Add.125
Norway	CRC/C/70/Add.2	CRC/C/15/Add.126

Annex V

PROVISIONAL LIST OF REPORTS SCHEDULED FOR CONSIDERATION AT THE COMMITTEE'S TWENTY-FIFTH AND TWENTY-SIXTH SESSIONS

Twenty-fifth session
(18 September-6 October 2000)

Initial reports

Marshall Islands	CRC/C/28/Add.12
Burundi	CRC/C/3/Add.58
Comoros	CRC/C/28/Add.13
Slovakia	CRC/C/11/Add.17
Tajikistan	CRC/C/28/Add.14
Central African Republic	CRC/C/11/Add.18
United Kingdom of Great Britain and Northern Ireland (Isle of Man)	CRC/C/11/Add.19
United Kingdom of Great Britain and Northern Ireland (Overseas Territories)	CRC/C/41/Add.7

Second periodic reports

Finland	CRC/C/70/Add.3
Colombia	CRC/C/70/Add.5

Twenty-sixth session
(8-26 January 2001)

Initial reports

Dominican Republic	CRC/C/8/Add.40
Lesotho	CRC/C/11/Add.20
Lithuania	CRC/C/11/Add.21
Liechtenstein	CRC/C/61/Add.1
Saudi Arabia	CRC/C/61/Add.2
Palau	CRC/C/51/Add.3
Latvia	CRC/C/11/Add.22

Second periodic reports

Egypt	CRC/C/65/Add.9
Ethiopia	CRC/C/70/Add.7

Annex VI

OUTLINE FOR THE DAY OF GENERAL DISCUSSION (22 SEPTEMBER 2000) ON "STATE VIOLENCE AGAINST CHILDREN"

Introduction

In accordance with rule 75 of its provisional rules of procedure, the Committee on the Rights of the Child has decided to devote periodically one day of general discussion to a specific article of the Convention or to a child rights theme.

The Committee believes that there is a need to increase further the attention given to violations of the right of children to be protected from all forms of torture, mistreatment and abuse. At its twenty-third session, in January 2000, the Committee decided to devote two annual days of general discussion (in September 2000 and September 2001) to the theme of Violence against children.

The purpose of the general discussions is to foster a deeper understanding of the contents and implications of the Convention as they relate to specific topics. The discussions are public. Government representatives, United Nations human rights mechanisms, as well as United Nations bodies and specialized agencies, non-governmental organizations and individual experts are invited to take part.

Background

The Committee has already held several discussion days on issues of relevance to this topic, including:

- in 1992 on children in armed conflict,
- in 1993 on economic exploitation of children,
- in 1994 on the role of the family in the promotion of the rights of the child,
- in 1995 on the administration of juvenile justice.

The Committee decided to divide the additional discussion of this topic into two different sessions, in order to permit more in-depth analysis. This division does not imply any conceptual distinction and should not be seen as negating the many aspects shared by all forms of violence against children, and in particular the fact that the root causes of such violence are often the same wherever it occurs. In order to have time for more detailed consideration, the Committee decided to focus the discussion on Violence against children in 2000 on State violence suffered by children living in institutions managed, licensed or supervised by the State, and in the context of "law and public order" concerns. In 2001, the focus will be on the problems of violence suffered by children in schools and within the family.

Theme for the day of general discussion on 22 September 2000: "State violence against children"

The Committee will explore the different aspects of the violence suffered by children at the hands of the State. The Convention on the Rights of the Child (in particular articles 37 and 40 and article 19, but taking also into account the general principles contained in articles 2, 3, 6 and 12) establishes high standards for the protection of children against violence. Additional international instruments offer detailed guidance on the implementation of these provisions of the Convention. Yet, too often, children in the most vulnerable circumstances are the victims of unjustifiable violence at the hands of State officials.

The Convention enshrines the principle that parents and guardians bear the primary duty and responsibility for the upbringing of children, with the necessary support of the State (arts. 5 and 18). In addition, article 20 clearly states that "a child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State". Unfortunately, it is often children deprived of family protection who are most commonly victims of the worst forms of mistreatment and abuse, and too often such abuse takes place either at the hands of State agents or is made possible by their approval, tolerance or neglect. Thus, the Committee would like to study in detail the violence suffered by particularly vulnerable groups of children who are temporarily or permanently deprived of a family environment, which renders them more vulnerable to abuse.

Subthemes for discussion by working groups

The division of this issue into two subthemes for in-depth discussion by working groups will unavoidably lead to a certain amount of overlap between the working groups, while other relevant issues may receive less attention. The Committee is aware, in particular, that issues such as the impact of armed conflict on children, or the treatment of refugee and asylum-seeking children, have not been included. The Committee acknowledges their relevance to the discussion of State violence against children, but considers that such issues have already been the focus of attention during previous discussion days. They are also themes that receive specialized attention from other United Nations bodies and mechanisms, while the subthemes chosen have received less sustained attention from a child-rights perspective in the context of United Nations human rights activities. The working groups will concentrate on the following issues.

1. Mistreatment, abuse and neglect of children in the care of the State

The State has a particular obligation to protect from all forms of abuse those children deprived of a family environment who have been entrusted to its care (art. 20). This duty of special protection extends to children who have been placed for adoption or in foster care. However, the State can most easily take direct action to prevent violence against children placed in institutions which are managed by the State, either directly (public institutions) or through licensing and supervision systems (private institutions).

Violence committed against children living in institutions because they have been separated from their parents for the protection of their best interests (art. 9) or who have been placed in an institution by their own families because of disability (art. 23) is thus particularly

unacceptable. Children are entitled to live in institutions that meet minimum standards for safety, health, number and suitability of staff, and supervision (art. 3 (3)). They have the right to be protected from high and unjustified mortality rates (art. 6). They are entitled to State protection from all forms of abuse by those who care for them (art. 19 (1)) and to live in conditions which respect their dignity, promote self-reliance and facilitate active participation in the community (art. 23 (1)).

2. Violence against children in the context of "law and public order" concerns

The Convention on the Rights of the Child excludes the imposition of capital punishment or life imprisonment sentences for offences committed by persons under 18 years (art. 37 (a)), yet such sentences persist in some States which have ratified the Convention.

At all stages of the juvenile justice process, children who are alleged to have committed offences are entitled to be treated "in a manner consistent with the promotion of the child's sense of dignity and worth" (art. 40 (1)). Children have the right to be protected from all forms of torture and cruel, inhuman or degrading treatment or punishment (art. 37 (a)) and any other form of abuse (art. 19). Protection from violence should also cover violent treatment allowed under domestic law (e.g. flogging as a penalty, violent disciplinary measures, etc.). The right of children to be protected from such violence must extend to their contacts with police officers, as well as to custodial institutions and any other place of detention, and to children participating in any "diversionary" programme or subject to "alternative" measures.

Street children have been among the most vulnerable victims of the most extreme forms of violence, including extrajudicial or summary execution, in many countries. Such violence too often takes place at the hands of agents of the State, or at least with their encouragement or tolerance. Homeless children are particularly vulnerable to such violence, though children working in the streets are at great risk even if they are still living with their families. Violence against this group of children represents a particularly egregious violation of their rights (arts. 6 and 37), as it follows upon the failure of the State to offer protection and care to children whose rights are already under attack. Children living and/or working in the street are often deprived of a family environment (art. 20). They are often the subject of unacceptable economic exploitation (art. 32) and abuse (art. 19), including sexual abuse and exploitation (art. 34). In addition, many of these children are also in need of special protection against use and involvement in production and trafficking of narcotic drugs and psychotropic substances (art. 33).

Approach and objectives for the day of general discussion

The subject "State violence against children" is of particular relevance to a number of other United Nations human rights mechanisms. One objective of the discussion will be to facilitate the exchange of information and of the experience accumulated by different mechanisms in identifying the most productive approaches to the prevention and monitoring of human rights violations of this type.

The discussion may include issues such as the definitions of torture or abuse within the meanings of article 37 (a) and article 19 (1) of the Convention, or the position and roles of the perpetrators of violence and abuse and the legal approach to punishment and prosecution of

violations. Both working groups will be expected to identify forms of violence allowed by domestic legislation and norms (and the resulting need for legislative reform) as well as violence committed in violation of existing domestic rules.

The Committee wishes to explore broader aspects of these themes, and the key objectives of the meeting will be:

1. To present, analyse and discuss the nature, extent, causes and consequences of violence against children as described above.

2. To present and discuss policies and programmes (including legislative and other measures) at the national and international levels to prevent and reduce these types of violence against children and to treat and rehabilitate victims of such violence.

3. To present recommendations focusing on concrete measures which should and could be taken by States parties to the Convention on the Rights of the Child to reduce and prevent violence against children in these circumstances.

Particular attention will be paid under all these aspects to the position and special vulnerability of girls, of children belonging to ethnic minorities and indigenous peoples, and of socio-economically marginalized children.

Participation in the day of general discussion

United Nations programmes and agencies are always invited to participate in the days of general discussion organized by the Committee on the Rights of the Child. Governments are also invited to attend and encouraged to participate actively. The meeting will be open to the public, with information on participation distributed to United Nations programmes and agencies, NGOs and other interested individuals and organizations.

The meeting will be held during the twenty-fifth session of the Committee, at the Office of the High Commissioner for Human Rights (Palais Wilson, Geneva) on Friday, 22 September 2000.

The Committee on the Rights of the Child invites written contributions on the issues and topics mentioned, within the framework outlined above. Contributions should be sent before 25 August 2000 (if possible in electronic version) to:

Secretariat, Committee on the Rights of the Child
Office of the High Commissioner for Human Rights, UNOG-OHCHR
CH-1211 Geneva 10
Switzerland
e-mail <mbustelo.hchr@unog.ch> or <pdavid.hchr@unog.ch>

For security reasons and due to limited space, participants at the meeting will be required to register. Participants should send their full name, organization and contact details (preferably by e-mail), before 6 September 2000, to the above address.

Annex VII

LIST OF DOCUMENTS ISSUED FOR THE TWENTY-FOURTH SESSION OF THE COMMITTEE

CRC/C/3/Add.56	Initial report of Malta
CRC/C/8/Add.39	Initial report of Djibouti
CRC/C/11/Add.16	Initial report of Cambodia
CRC/C/28/Add.11	Initial report of Suriname
CRC/C/40/Rev.15	Note of the Secretary-General on areas in which the need for technical advice and advisory services has been identified in the light of the observations adopted by the Committee
CRC/C/41/Add.4/Rev.1	Initial report of Georgia
CRC/C/41/Add.5	Initial report of Iran (Islamic Republic of)
CRC/C/41/Add.6	Initial report of Kyrgyzstan
CRC/C/70/Add.2	Second periodic report of Norway
CRC/C/70/Add.4	Second periodic report of Jordan
CRC/C/95	Provisional agenda and annotations
CRC/C/96	Note by the Secretary-General on the States parties to the Convention and the status of submission of reports
CRC/C/SR.616-641	Summary records of the twenty-fourth session

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